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FINAL
CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
09:30 a.m. March 27, 2012

First Floor Board Room
455 North Main

OPENING OF REGULAR MEETING

- Call to Order
- Approve the minutes of the regular meeting on March 20, 2012

II. CONSENT AGENDAS (ITEMS 1 THROUGH 13)

NOTICE: Items listed under the "Consent Agendas" will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the "Consent Agendas" and considered separately

(The Council will be considering the City Council Consent Agenda as well as the Planning, Housing, and Airport Consent Agendas. Please see "ATTACHMENT 1 – CONSENT AGENDA ITEMS" for a listing of all Consent Agenda Items.)

COUNCIL AGENDA

VIII. COUNCIL MEMBER AGENDA

1. **City Manager and Municipal Court Judge Compensation.**

RECOMMENDED ACTION: Approve a general pay adjustment of 2.5% for 2012, retroactive to December 24, 2011 for the City Manager and all of the Municipal Court Judges.

IX. COUNCIL MEMBER APPOINTMENTS

1. **Board Appointments.**

RECOMMENDED ACTION: Approve the Appointments.

Adjournment

Workshop to follow

(ATTACHMENT 1 – CONSENT AGENDA ITEMS I THROUGH 13)

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Report of Board of Bids and Contracts dated March 26, 2012.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2012</u>	<u>(Consumption on Premises)</u>
David Lez	New Taiwan Chinese Restaurant**	2140 West 21st North
Joseph J Hemmelgarn	Wichita Canteen**	1845 Fairmount
<u>Renewal</u>	<u>2012</u>	<u>(Consumption off Premises)</u>
Chaomin Hsu	Normar International Food***	2056 North Broadway
Cari Spainhour	Quik Trip #327***	12825 East 21 North
Chandana Perera	FoodMart 205***	7101 East Lincoln

**General/Restaurant 50% or more gross revenue from sale of food.

***Consumption/Retailer grocery stores, convenience stores etc.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

3. Preliminary Estimates: (See Attached)

RECOMMENDED ACTION: Receive and file.

4. Petitions for Public Improvements:

- Petitions for Sanitary Sewer, Drainage and Water Improvements in Sierra Hills 2nd Addition, north of Pawnee, west of 143rd Street East. (District II)
- Petitions for Sanitary Sewer and Water Improvements in Pearson Farms 3rd Addition, south of 21st Street North, west of Maize. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt resolutions.

5. Consideration of Street Closures/Uses.

- Community Events – Girls on the Run. (Districts I, V and VI)
- Street Closure - Streets crossing the BNSF in north Wichita. (District VI)

RECOMMENDED ACTION: Approve the request subject to; (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; and (3) Securing a Certificate of Liability Insurance on file with the Community Events Coordinator.

6. Agreements/Contracts:

- a. Working Agreements and Memoranda of Understanding for Cheney Reservoir Watershed Water Quality Projects.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize the necessary signatures.

7. Property Acquisitions:

- a. Partial Acquisition of 635 Wheatland Place for the Central: 119th to 135th Street Road Improvement Project. (District V)
- b. Partial Acquisition of 1230 North Hoover for the I-235 Floodway Crossing/13th Street Interchange Project. (Districts V and VI)
- c. Partial Acquisition of Land in the 14500-14900 Blocks of West Kellogg for the West Kellogg Freeway Project. (Districts IV and V)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

8. Minutes of Advisory Boards/Commissions

Board of Code Standards and Appeals, February 6, 2012
Wichita Airport Advisory Board, February 6, 2012
Board of Park Commissioners, January 9, 2012
Board of Park Commissioners, February 13, 2012
Board of Electrical Appeals, January 10, 2012
Wichita Historic Preservation Board, February 1, 2012
Wichita Public Library, February 21, 2012
Stormwater Advisory Board, March 2, 2012
RECOMMENDED ACTION: Receive and file.

9. Report on Claims for February, 2012.

RECOMMENDED ACTION: Receive and file.

10. Upgrade for Patron Edge software to include Counter Point Hardware for Arts and Cultural Facilities.

RECOMMENDED ACTION: Approve the contract with Blackbaud, Inc for the Counter Point hardware and authorize the necessary signatures.

11. 2012 Cargill Care Grant - WATER Center. (District III)

RECOMMENDED ACTION: Approve the grant application.

12. Fleet and Facilities Division migration from DataStream to Lucity for asset management.

RECOMMENDED ACTION: Approve the contract and funding for Public Works migration from DataStream to Lucity for asset management.

13. Second Reading Ordinances: (First Read March 20, 2012)
List of Seconding Reading Ordinances.

RECOMMENDED ACTION: Adopt the Ordinances.

II. CONSENT PLANNING AGENDA ITEMS

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

None

II. CONSENT HOUSING AGENDA ITEMS

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on the items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

Fern Griffith, Housing Member is also seated with the City Council.

None

II. CONSENT AIRPORT AGENDA ITEMS

NOTICE: The City Council is meeting as the governing body of the Airport Authority for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

None

Agenda Item No. VIII-1.

**City of Wichita
City Council Meeting
March 27, 2012**

TO: Mayor and City Council

SUBJECT: City Manager and Municipal Court Judge Compensation

INITIATED BY: City Council

AGENDA: Council Member Agenda

Recommendation: Approve general pay adjustments for the City Manager and Municipal Court Judges.

Background: The compensation for the City Manager and the Municipal Court Judges is set by the City Council. The ordinance establishing the mechanism for prescribing pay for the City Manager and the Municipal Court Judges provides, in pertinent part, that “[T]he City Manager and the Municipal Court Judges shall be eligible for all benefits provided to full-time exempt City employees.”

Analysis: Full-time exempt City employees have been granted a 2.5% general pay adjustment for 2012. In order to comply with the salary ordinances for the City Manager and the Municipal Court Judges, a similar general pay adjustment should be authorized. Accordingly, it is recommended that the City Manager and each judge receive a 2.5% cost of living increase for the year 2012, retroactive to December 24, 2011.

Financial Considerations: Funds for the 2.5% general pay adjustment are included in the 2012 Adopted Budget.

Goal Impact: The action affects the City’s goals of Quality of Life, Safe and Secure Community, Core Areas and Neighborhoods, Economic Vitality and Affordable Living, Efficient Infrastructure, and Internal Perspectives.

Legal Considerations: None

Recommendations/Actions: Approve a general pay adjustment of 2.5% for 2012, retroactive to December 24, 2011 for the City Manager and all of the Municipal Court Judges.

City of Wichita
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Petitions for Sanitary Sewer, Drainage and Water Improvements in Sierra Hills
2nd Addition (north of Pawnee, west of 143rd Street East) (District II)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

.....

Recommendation: Approve the petitions.

Background: The signature on the petitions represents 100% of the improvement districts.

Analysis: The projects will provide sanitary sewer, drainage and water improvement for a new residential development located north of Pawnee, west of 143rd Street East.

Financial Considerations: The petitions total \$791,208. The funding source is special assessments.

Goal Impact: The projects address the Efficient Infrastructure goal by providing sanitary sewer, drainage and water improvements required for new development.

Legal Considerations: The petitions and resolutions have been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the petitions, adopt the resolutions and authorize the necessary signatures.

Attachments: Map, CIP sheets, petitions and resolutions.

**CAPITAL IMPROVEMENT
PROJECT AUTHORIZATION
CITY OF WICHITA**

USK

To Initiate Project

X

To Revise Project

1. Prepare in triplicate.
2. Send original & 2 copies to budget.
3. City Manager to sign all copies.
4. File original w/ initiating resolution in City Clerk.
5. Return 2nd copy to initiating department.
6. Send 3rd copy to Controller.

1. Initiating Department	2. Initiating Division	3. Date	4. Project Description & Location	
Public Works & Utilities	Eng & Arch	2/27/2012	Water Distribution System in Stone Hills 2nd Addition	
5. CIP Project Number	6. Accounting Number	7. CIP Project Date (Year)	8. Approved by WCC Date	
NI		2012		
9. Estimated Start Date (As Required)	10. Estimated Completion Date (As Required)	11. Project Revised		
12. Project Cost Estimate				12A.
ITEM	CO	SA	OTHER*	TOTAL
Right of Way				
Paving, grading & const.				
Bridge				
Drainage				
Sanitary Sewer				
Sidewalk				
Water		\$62,900		\$62,900
Traffic Signals & Turn Lanes				
Totals		\$62,900		\$62,900
Total CIP Amount Budgeted				
Total Prelim. Estimate				
13. Recommendation: Approve the petition and adopt the resolution				
Division Head	Department Head		Budget Officer	City Manager
			Date	Date

	Yes	No
Platting Required	_____	_____
Lot Split	_____	_____
Petition	X	_____
Ordered by WCC	_____	_____

Remarks:

100% Petition

**Water Utility

448 90550

**CAPITAL IMPROVEMENT
PROJECT AUTHORIZATION
CITY OF WICHITA**

USE:

To Initiate Project ☒ X
To Revise Project ☐

1. Prepare in triplicate.
2. Send original & 2 copies to budget.
3. City Manager to sign all copies.
4. File original w/ initiating resolution in City Clerk.
5. Return 2nd copy to initiating department.
6. Send 3rd copy to Controller.

1. Initiating Department	2. Initiating Division	3. Date	4. Project Description & Location	
Public Works & Utilities	Eng & Arch	2/27/2012	Sanitary Sewer in Stone Hills 2nd Addition	
5. CIP Project Number	6. Accounting Number	7. CIP Project Date (Year)	8. Approved by WCC Date	
NI		2012		
9. Estimated Start Date As Required	10. Estimated Completion Date As Required	11. Project Revised		
12. Project Cost Estimate:				12A.
ITEM	CO	SA	OTHER*	TOTAL
Right of Way				
Paving, grading & const.				
Bridge				
Drainage				
Sanitary Sewer		\$180,288		\$180,288
Sidewalk				
Water				
Traffic Signals & Turn Lanes				
Totals		\$180,288		\$180,288
Total CIP Amount Budgeted				
Total Prelim. Estimate				
13. Recommendation: Approve the petition and adopt the resolution				
Division Head	Department Head		Budget Officer	City Manager
			Date	Date

	Yes	No
Platting Required	<input type="checkbox"/>	<input type="checkbox"/>
Lot Split	<input type="checkbox"/>	<input type="checkbox"/>
Petition	<input checked="" type="checkbox"/> X	<input type="checkbox"/>
Ordered by WCC	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

100% Petition

"Sanitary Sewer Utility

Lateral 4, Main 21, FMC

468-84814

**CAPITAL IMPROVEMENT
PROJECT AUTHORIZATION
CITY OF WICHITA**

USK

To Initiate Project

☒

To Revise Project

1. Prepare in triplicate

2. Send original & 2 copies to budget

3. City Manager to sign all copies.

4. File original w/ initiating resolution in City Clerk.

5. Return 2nd copy to initiating department

6. Send 3rd copy to Controller.

1. Initiating Department	2. Initiating Division	3. Date	4. Project Description & Location	
Public Works & Utilities	Eng & Dev	3/6/2012	Storm Water Union in Storm 11th and Adde	
5. CIP Project Number	6. Accounting Number	7. CIP Project Date (Year)	8. Approved by WCC Date	
NI-		2012		
9. Estimated Start Date (As Required)	10. Estimated Completion Date (As Required)	11. Project Revised		
12. Project Cost Estimate			12A.	
ITEM	GO	SA	Other	TOTAL
Right of Way				
Paving, grading & curbs				
Bridge & Dam				
Drainage		\$518,000		\$518,000
Sanitary Sewer				
Sidewalk				
Water				
Traffic Signals & Turn Lanes				
Totals		\$518,000		\$518,000
Total CIP Amount Budgeted				
Total Prelim. Estimate				

13. Recommendation: Approve the Petition and adopt the Resolution.

Division Head	Department Head	Budget Officer	City Manager
		Date	Date

Plating Required ☐ Yes ☐ No

Lot Split ☐ Yes ☐ No

Petition ☒ Yes ☐ No

Ordered by WCC ☐ Yes ☐ No

Remarks:

1145% Pointon

"Storm Water Utility

SWD 334

168,8101

First Published in the Wichita Eagle on March 30, 2012

RESOLUTION NO. 12-067

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING THE IMPROVEMENT OF WATER DISTRIBUTION SYSTEM NUMBER 448-90550 (NORTH OF PAWNEE, WEST OF 143RD ST. EAST) IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING WATER DISTRIBUTION SYSTEM NUMBER 448-90550 (NORTH OF PAWNEE, WEST OF 143RD ST. EAST) IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve Water Distribution System Number 448-90550 (north of Pawnee, west of 143rd St. East).

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Seventy-Two Thousand Dollars (\$72,000) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 2012, exclusive of the costs of temporary financing.

That, in accordance with the provisions of K.S.A. 12-6a19, a benefit fee be assessed against the improvement district with respect to the improvement district's share of the cost of the exterior water main, such benefit fee calculated at the rate of 2.6 cents per square foot for the above described benefit district and totaling Twenty Thousand Nine Hundred Twenty Dollars (\$20,920), divided equally per lot resulting in a per lot assessment of \$523 for the above described lots.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

SIERRA HILLS 2ND ADDITION

Lots 1 through 5, Block 1
Lots 23 through 36, Block 3
Lots 9 through 23, Block 5
Lots 32 through 37, Block 5

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a fractional basis.

That the following tracts and lots in Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas shall each pay 1/40 of the total cost of the improvement district:

SIERRA HILLS 2ND ADDITION

Lots 1 through 5, Block 1
Lots 23 through 36, Block 3
Lots 9 through 23, Block 5
Lots 32 through 37, Block 5

Where the ownership of a single lot is or may be divided into two or more parcels, the

assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 27th day of March, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF,
DIRECTOR OF LAW

First Published in the Wichita Eagle on March 30, 2012

RESOLUTION NO. 12-068

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 4, MAIN 21, FOUR MILE CREEK SEWER (NORTH OF PAWNEE, WEST OF 143RD ST. EAST) 468-84814 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF THE CONSTRUCTION OF LATERAL 4, MAIN 21, FOUR MILE CREEK SEWER (NORTH OF PAWNEE, WEST OF 143RD ST. EAST) 468-84814 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct Lateral 4, Main 21, Four Mile Creek Sewer (north of Pawnee, west of 143rd St. East) 468-84810.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be One Hundred Thirty-Two Thousand Dollars (\$132,000) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 2012, exclusive of the costs of temporary financing.

That, in accordance with the provisions of K.S.A. 12-6a19, a benefit fee be assessed against the improvement district with respect to the improvement district's share of the cost of the existing sanitary sewer main, such benefit fee calculated at the rate of 5 cents per square foot applied to the above described benefit district totaling Forty Eight Thousand Two Hundred Eighty Eight Dollars, divided equally per lot resulting in a per lot assessment of \$1006 for the above described lots.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

Lots 1 through 10, Block 1
Lots 15 through 16, Block 3
Lots 23 through 36, Block 3
Lots 9 through 24, Block 5
Lots 32 through 37, Block 5

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a fractional basis.

That the following described lots and tracts situated in Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas shall each pay 1/48 of the total cost payable by the improvement district:

SIERRA HILLS 2ND ADDITION

Lots 1 through 10, Block 1
Lots 15 through 16, Block 3
Lots 23 through 36, Block 3
Lots 9 through 24, Block 5
Lots 32 through 37, Block 5

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6 That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 27th day of March, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF
DIRECTOR OF LAW

First Published in the Wichita Eagle on March 30, 2012

RESOLUTION NO. 12-069

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING STORM WATER DRAIN NO. 384 (NORTH OF PAWNEE, WEST OF 143RD ST. EAST) 468-84815 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF STORM WATER DRAIN NO. 384 (NORTH OF PAWNEE, WEST OF 143RD ST. EAST) 468-84815 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve Storm Water Drain No. 384 (north of Pawnee, west of 143rd St. East) 468-84815.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Five Hundred Eighteen Thousand Dollars (\$518,000) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 2012, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

SIERRA HILLS 2ND ADDITION

Lots 1 through 19, Block 1
Lots 1 through 7, Block 2
Lots 1 through 36, Block 3
Lots 9 through 37, Block 5

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: That the following described lots and tracts situated in Sierra Hills Second Addition, Wichita, Sedgwick County, Kansas shall each pay 1/91 of the total cost payable by the improvement district:

SIERRA HILLS 2ND ADDITION

Lots 1 through 19, Block 1
Lots 1 through 7, Block 2
Lots 1 through 36, Block 3
Lots 9 through 37, Block 5

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 27th day of March 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF
DIRECTOR OF LAW

127th ST EAST

HARRY

PAWNEE

143rd

RECEIVED

FEB 10 '12

WATER DISTRIBUTION SYSTEM PETITION & BENEFIT FEE

CITY CLERK OFFICE

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

SIERRA HILLS 2nd ADDITION

Lots 1 – 5, Block 1
Lots 23 – 36, Block 3
Lots 9 -23, Block 5
Lots 32 – 37, Block 5

do hereby petition, pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

(a) That there be constructed a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.

(b) That the estimated and probable cost of the foregoing improvements being Seventy Two Thousand Dollars (\$72,000.00) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata rate of 1 percent per month from and after February 1, 2012.

(c) That, in accordance with the provisions of K.S.A. 12-6a19, a **benefit fee** be assessed against the improvement district with respect to the improvement district's share of the cost of the exterior water main, such benefit fee calculated at the rate of 2.6 cents per square foot for the above described benefit district and totaling Twenty Thousand Nine Hundred Twenty dollars (\$20,920), divided equally per lot resulting in a per lot assessment of \$523 for the above described lots.

(d) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to

the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (e) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

That the following tracts and lots in Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas shall each pay 1/40 of the total cost of the improvement district:

SIERRA HILLS 2nd ADDITION

Lots 1 – 5, Block 1
Lots 23 – 36, Block 3
Lots 9 -23, Block 5
Lots 32 – 37, Block 5

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis, or per the provisions of an approved re-spread agreement.

2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.


4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION

SIGNATURE

DATE

 2/3/2012

SIERRA HILLS 2nd ADDITION

Lots 1 – 5, Block 1
Lots 23 – 36, Block 3
Lots 9 -23, Block 5
Lots 32 – 37, Block 5

AFFIDAVIT

The undersigned, being duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

William K. Overager
Name

924 N. Main, Wichita, KS 67203

Address

(316) 264-8008

Telephone number

Sworn to and subscribed before me this 10th day of February, 2012.



John Edwards
Deputy City Clerk

\$

RECEIVED

SANITARY SEWER PETITION AND BENEFIT FEE

FEB 10 '12

To the Mayor and City Council
Wichita, Kansas

CITY CLERK OFFICE

L 4, M21 FMC

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

SIERRA HILLS 2nd ADDITION

Lots 1 – 10, Block 1

Lots 15 -16, Block 3

Los 23 – 36, Block 3

Lots 9 – 24, Block 5

Lots 32-37, Block 5

do hereby petition pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

- 468-84814*
- (a) That there be constructed a lateral sanitary sewer to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
 - (b) That the estimated and probable cost of the foregoing improvements being One Hundred Thirty Two Thousand Dollars (\$132,000.00), exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata rate of 1 percent per month from and after February 1, 2012.
 - (c) That, in accordance with the provisions of K.S.A. 12-6a19, a **benefit fee** be assessed against the improvement district with respect to the improvement district's share of the cost of the existing sanitary sewer main, such benefit fee calculated at the rate of 5 cents per square foot applied to the above described benefit district totaling Forty Eight Thousand Two Hundred Eighty Eight Dollars, divided equally per lot resulting in a per lot assessment of \$1006 for the above described lots.
 - (d) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during

the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (e) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

That the following described lots and tracts situated in Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas shall each pay 1/48 of the total cost payable by the improvement district:

SIERRA HILLS 2nd ADDITION

Lots 1 – 10, Block 1

Lots 15 -16, Block 3

Los 23 – 36, Block 3

Lots 9 – 24, Block 5

Lots 32-37, Block 5

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis or per the provisions of an approved re-spread agreement.

2. (a) It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 12-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in

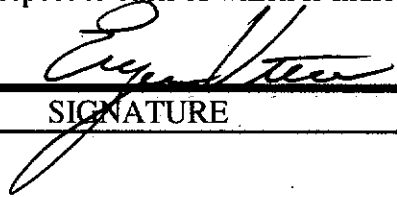
use if and when such improvements are necessary to serve any building which may be constructed on the real property after the date on this petition.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION

SIGNATURE

DATE

 2/3/2012

SIERRA HILLS 2nd ADDITION

Lots 1 – 10, Block 1
Lots 15 -16, Block 3
Los 23 – 36, Block 3
Lots 9 – 24, Block 5
Lots 32-37, Block 5

AFFIDAVIT

The undersigned, being duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

William K. Clevenger
Name

924 N. Main, Wichita, KS 67203

Address

(316) 264-8008

Telephone number

Sworn to and subscribed before me this 10th day of February, 2012.



John Edwards
Deputy City Clerk

RECEIVED

MAR 05 '12

STORM WATER DRAIN PETITION

To the Mayor and City Council
Wichita, Kansas

SWD #384

CITY CLERK OFFICE

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

SIERRA HILLS SECOND ADDITION

Lots 1 - 19, Block 1

Lots 1 - 7, Block 2

Lots 1 - 36, Block 3

Lots 9 - 37, Block 5

468-84815
(N. of Pawnee,
W. of 143rd St. E)

do hereby petition pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

- (a) That there be constructed a storm water sewer system to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
- (b) That the estimated and probable cost of the foregoing improvements being Five Hundred Eighteen Thousand Dollars (\$518,000.00), exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata rate of 1 percent per month from and after February 1, 2012.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the

terms of this petition.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: That the following described lots and tracts situated in Sierra Hills Second Addition, Wichita, Sedgwick County, Kansas shall each pay 1/91 of the total cost payable by the improvement district:

SIERRA HILLS SECOND ADDITION

Lots 1 - 19, Block 1

Lots 1 - 7, Block 2

Lots 1 - 36, Block 3

Lots 9 - 37, Block 5

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis, or per the provisions of an approved re-spread agreement.

2. (a) It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 12-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use if and when such improvements are necessary to serve any building which may be constructed on the real property after the date on this petition.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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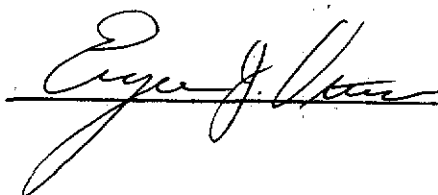
SIERRA HILLS SECOND ADDITION

Lots 1 - 19, Block 1

Lots 1 - 7, Block 2

Lots 1 - 36, Block 3

Lots 9 - 37, Block 5

 2/16/2012

AFFIDAVIT

The undersigned, being duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

Chris Bolun
Name

924 N. Main
Address

264-8008
Telephone number

Sworn to and subscribed before me this 5th day of March, 2012.



John Edwards
Deputy City Clerk

City of Wichita
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Petitions for Sanitary Sewer and Water Improvements in Pearson Farms 3rd Addition (south of 21st Street North, west of Maize) (District V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

.....

Recommendation: Approve the petitions.

Background: The signature on the petitions represents 100% of the improvement districts. The petition is a requirement for a lot split.

Analysis: The projects will provide sanitary sewer and water improvement for a new commercial development located south of 21st Street North, west of Maize.

Financial Considerations: The petitions total \$50,000. The funding source is special assessments.

Goal Impact: The projects address the Efficient Infrastructure goal by providing sanitary sewer and water improvements required for new development.

Legal Considerations: The petitions and resolutions have been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the petitions, adopt the resolutions and authorize the necessary signatures.

Attachments: CIP sheets, petitions and resolutions.

**CAPITAL IMPROVEMENT
PROJECT AUTHORIZATION
CITY OF WICHITA**

USE:

To Initiate Project ☒ X
To Revise Project ☐

1. Prepare in triplicate.
2. Send original & 2 copies to budget.
3. City Manager to sign all copies.
4. File original w/ initiating resolution in City Clerk.
5. Return 2nd copy to initiating department.
6. Send 3rd copy to Controller.

1. Initiating Department	2. Initiating Division	3. Date	4. Project Description & Location	
Public Works & Utilities	Eng & Arch	3/5/2012	Water Distribution System in Pearson Farms 3rd Addition	
5. CIP Project Number	6. Accounting Number	7. CIP Project Date (Year)	8. Approved by WCC Date	
NI		2012		
9. Estimated Start Date (As Required)	10. Estimated Completion Date (As Required)	11. Project Revised		
12. Project Cost Estimate:				
ITEM	CO	SA	OTHER*	TOTAL
Right of Way				
Paving, grading & curbs				
Bridge				
Drainage				
Sanitary Sewer				
Sidewalk				
Water		\$12,000		\$12,000
Traffic Signals & Turn Lanes				
Totals		\$12,000		\$12,000
Total CIP Amount Budgeted				
Total Prelim. Estimate				
13. Recommendation: Approve the petition and adopt the resolution				
Division Head	Department Head		Budget Officer	City Manager
			Date	Date

**CAPITAL IMPROVEMENT
PROJECT AUTHORIZATION
CITY OF WICHITA**

USK

To Initiate Project

X

To Revise Project

1. Prepare in triplicate.
2. Send original & 2 copies to budget.
3. City Manager to sign all copies.
4. File original w/ initiating resolution in City Clerk.
5. Return 2nd copy to initiating department.
6. Send 3rd copy to Controller.

1. Initiating Department	2. Initiating Division	3. Date	4. Project Description & Location	
Public Works & Utilities	Eng & Arch	3/5/2012	Sanitary Sewer in Ponson Farms 3rd Addition	
5. CIP Project Number	6. Accounting Number	7. CIP Project Date (Year)	8. Approved by WCC Date	
NI		2012		
9. Estimated Start Date As Required	10. Estimated Completion Date As Required	11. Project Revised		
12. Project Cost Estimate				
ITEM	CO	SA	OTHER*	TOTAL
Right of Way				
Paving, grading & curbs				
Bridge				
Drainage				
Sanitary Sewer		\$28,000		\$28,000
Sidewalk				
Water				
Traffic Signals & Turn Lanes				
Totals		\$28,000		\$28,000
Total CIP Amount Budgeted				
Total Prelim. Estimate				
13. Recommendation: Approve the petition and adopt the resolution				
Division Head	Department Head		Budget Officer	City Manager
			Date	Date

First Published in the Wichita Eagle on March 30, 2012

RESOLUTION NO. 12-070

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING THE IMPROVEMENT OF WATER DISTRIBUTION SYSTEM NUMBER 448-90549 (SOUTH OF 21ST ST. NORTH, WEST OF MAIZE) IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING WATER DISTRIBUTION SYSTEM NUMBER 448-90549 (SOUTH OF 21ST ST. NORTH, WEST OF MAIZE) IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve Water Distribution System Number 448-90549 (south of 21st St. North, west of Maize).

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Twenty-Two Thousand Dollars (\$22,000) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 2012, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

TRACT A

That part of NE 1/4 Section 7, Township 27 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas described as beginning at the SW corner of Lot 4, Pearson Farms 3rd Addition to Wichita Sedgwick County, Kansas; thence N01°21'21"E, 154.65 feet; thence N87°23'34"E, 140.04 feet; thence S01°26'35"E, 85.76 feet; thence S88°28'51"W, 3.58 feet; thence S01°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 33.24 feet along the south line of said Lot 4; then S01°31'09"E, 30.00 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 110.88 feet along the south line of Lot 4, Pearson Farms 3rd Addition to the point of beginning

Said tract contains 20,961 square feet more or less

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a fractional basis.

That the method of assessment of all costs of the improvement district for which the improvement district shall be liable shall be on a fractional basis: TRACT A shall pay 100/100 of the improvement cost.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said

improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 27th day of March, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF,
DIRECTOR OF LAW

RESOLUTION NO. 12-071

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 538, SOUTHWEST INTERCEPTOR SEWER (SOUTH OF 21ST ST. NORTH, WEST OF MAIZE) 468-84813 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF THE CONSTRUCTION OF LATERAL 538, SOUTHWEST INTERCEPTOR SEWER (SOUTH OF 21ST ST. NORTH, WEST OF MAIZE) 468-84813 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct Lateral 538 Southwest Interceptor Sewer (south of 21st St. North, west of Maize) 468-84813.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Twenty-Eight Thousand Dollars (\$28,000) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 2012, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

TRACT A

That part of NE 1/4 Section 7, Township 27 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas described as beginning at the SW corner of Lot 4, Pearson Farms 3rd Addition to Wichita Sedgwick County, Kansas; thence N01°21'21"E, 154.65 feet; thence N87°23'34"E, 140.04 feet; thence S01°26'35"E, 85.76 feet; thence S88°28'51"W, 3.58 feet; thence S01°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 33.24 feet along the south line of said Lot 4; then S01°31'09"E, 30.00 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 110.88 feet along the south line of Lot 4, Pearson Farms 3rd Addition to the point of beginning

Said tract contains 20,961 square feet more or less

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis.

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: TRACT A shall pay 100/100.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis or by the provisions of a valid re-spread agreement submitted at the time of division.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6 That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication. PASSED by the governing body of the City of Wichita, Kansas, this 27th day of March, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF
DIRECTOR OF LAW

RECEIVED

FEB 20 '12

WATER MAIN PETITION

To the Mayor and City Council
Wichita, Kansas

CITY CLERK OFFICE

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

See Exhibit "A" attached hereto

do hereby petition, pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq. as amended, as follows:

- 448-90549
(South of 21st,
West of Maize)
- (a) That there be constructed a water main, valves, fire hydrants, and appurtenances in a 20' wide utility easement from the north line of Pearson Farms 3rd Addition and ending at a point 60' south of the north line of Tract "A" as herein described. That said improvements be constructed with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
 - (b) That the estimated and probable cost of the foregoing improvement being **TWENTY-TWO THOUSAND DOLLARS (\$22,000)**, with 100% percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro rata of 1 percent per month from and after February 1, 2012.
 - (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis.

Tract A Shall pay 100/100

Above described improvement district shall pay 100% of the improvement cost.

Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing body commences consideration of the petition or later than seven (7) days after filing, whichever comes first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident-owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

Tract A

NW Centre LLC

By:

 *member* 2.28.12

EXHIBIT A


TRACT A

That part of the NE ¼ Section 7, Township 27 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas described as beginning at the SW corner of Lot 4, Pearson Farms 3rd Addition to Wichita Sedgwick County, Kansas; thence N01°21'21"E, 154.65 feet; thence N87°23'34"E, 140.04 feet; thence S01°26'35"E, 85.76 feet; thence S88°28'51"W, 3.58 feet; thence S01°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 33.24 feet along the south line of said Lot 4; then S01°31'09"E, 30.00 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 110.88 feet along the south line of Lot 4, Pearson Farms 3rd Addition to the point of beginning.

Said tract contains 20,961 square feet more or less.

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

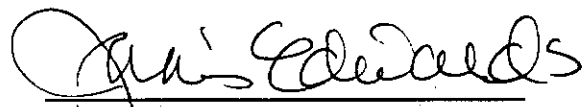

Scott R Servo
Name S

5940 E Central Wichita, KS
Address

316 685-4114
Telephone Number

Sworn to and subscribed before me this 28th day of February, 2012.




Jan Edwards
Deputy City Clerk

RECEIVED

FEB 28 '12

SANITARY SEWER PETITION

To the Mayor and City Council
Wichita, Kansas

CITY CLERK OFFICE

L538 SWI

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

See Exhibit "A" attached hereto

do hereby petition pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq. as amended, as follows:

- 468-84813
(S. of 21st St. N
W. of Maize)
- (a) That there be constructed a lateral sanitary sewer to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
 - (b) That the estimated and probable cost of the foregoing improvements being **TWENTY EIGHT THOUSAND DOLLARS (\$28,000)**, with 100% percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata rate of 1 percent per month from and after February 1, 2012.
 - (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

TRACT A shall pay 100/100

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. (a) It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 13-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.
3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.
4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use if and when such improvements are necessary to serve any building which may be constructed on the real property after the date on this petition.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

TRACT A

NW Centre LLC

By:  2.28.2012

EXHIBIT A


TRACT A

That part of the NE ¼ Section 7, Township 27 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas described as beginning at the SW corner of Lot 4, Pearson Farms 3rd Addition to Wichita Sedgwick County, Kansas; thence N01°21'21"E, 154.65 feet; thence N87°23'34"E, 140.04 feet; thence S01°26'35"E, 85.76 feet; thence S88°28'51"W, 3.58 feet; thence S01°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 33.24 feet along the south line of said Lot 4; then S01°31'09"E, 30.00 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 110.88 feet along the south line of Lot 4, Pearson Farms 3rd Addition to the point of beginning.

Said tract contains 20,961 square feet more or less.

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.



Name Scott E Servis

5940 E Central Wichita, KS
Address

316 685-4114
Telephone Number

Sworn to and subscribed before me this 28th day of February, 2012.




Deputy City Clerk

City of Wichita
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Community Events – Girls on the Run (Districts I, V and VI)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closures.

Background: In accordance with the Community Events procedure the event promoter Clark Ensz, Clark Ensz, Inc. is coordinating with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Girls on the Run May 12, 2012 8:00 am – 10:00 am

- Lewis-Waterman Street, McLean Boulevard to Water Street
- McLean Boulevard, Lincoln Street to Douglas Avenue
- Maple Street, McLean Boulevard to Sycamore Street
- Sycamore Street, Maple Street to Douglas Avenue
- Douglas Avenue, Sycamore Street to McLean Boulevard

The event promoter will arrange to remove the barricades as necessary to allow emergency vehicle access during the entire designated time period. The barricades will be removed immediately upon completion of the event.

Financial Consideration: The event promoter is responsible for all costs associated with special events.

Goal Impact: Enhance the Quality of Life for citizens through special events and activities.

Legal Consideration: There are no legal considerations.

Recommendation/Actions: It is recommended that the City Council approve the request subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; and (3) Securing a Certificate of Liability Insurance on file with the Community Event Coordinator.

City of Wichita
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Street Closure: Streets crossing the BNSF in north Wichita (District VI)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the street closures.

Background: The Burlington Northern Santa Fe (BNSF) Railroad is performing track maintenance on its track in north Wichita. The BNSF will be installing new rail material at two crossing locations within the City limits. The two crossings are 25th Street east of Broadway and 29th Street east of Broadway. The railroad has scheduled the installation of the new rail material beginning March 27th, weather permitting. The railroad is requesting the street closures to remain until April 4th. During the street closure the railroad will remove the existing crossing material, install new rail panels, adjust the rail elevation and install new crossing material.

Analysis: The BNSF is responsible for the placement of the required detour and construction signs and barricades as well as the notification of area businesses and residents. During the arterial street closures, traffic will be detoured to adjacent arterial streets.

Financial Consideration: There is no cost to the City.

Goal Impact: This project addresses the Efficient Infrastructure goal by maintaining safe and dependable transportation systems.

Legal Consideration: The City Council has legislative authority under the powers granted in the Kansas Constitution, Art. 12, § 5 to temporarily close a street not a part of a designated federal or state highway system in order to secure the public safety and welfare. A motion is the appropriate format for such action.

Recommendation/Actions: It is recommended that the City Council approve the street closure.

Attachment: Map.

City of Wichita
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Working Agreements and Memoranda of Understanding for Cheney Reservoir Watershed Water Quality Projects (All Districts)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve agreement.

Background: Cheney Reservoir provides 60% to 70% of the City's water supply. The reservoir has two significant pollution problems: sedimentation, which displaces stored water and reduces the life of the reservoir, and phosphates from runoff, which contributes to plant life (algae) and increases taste and odor problems. In 1993, the City Council approved the concept of the City sharing the cost to landowners in the reservoir watershed to implement Best Management Practices (BMPs) that would improve water quality and extend the life of the reservoir. Since that time, the City Council has approved a number of annual agreements to help implement improvements in the watershed.

The reservoir watershed covers more than 63,000 acres in five counties (Sedgwick, Reno, Stafford, Pratt and Kingman). More than 1,460 projects have been completed in the watershed, resulting in a significant reduction in sediment entering the reservoir and a reduction in taste and odor events for the City's drinking water. The Cheney Watershed Improvement projects have received several national awards and are one of the most successful projects of its kind in the nation.

There are currently four watershed agreements in place, which are presented here for renewal.

Analysis: The four proposed agreements, and the maximum total City contribution for each program, are listed below:

- 1) Working Agreement for Water Quality Projects between Cheney Lake Watershed, Inc. and the City of Wichita (City contribution will not exceed \$80,000)

The proposed agreement offers incentive payments to producers who convert crop land to grass. This practice has the greatest water quality benefits of all BMPs as the perennial grasses slow and filter water flowing over the grassed areas. Watershed modeling shows that if the grass planted under the Conservation Reserve Program were returned to crop production under conventional tillage, the sediment load would increase by 31%.

Under the proposed agreement, the producer would receive from the City a one-time payment of \$100 per acre enrolled, equivalent to about 2.5 years of Conservation Reserve Program payments. To be eligible, the landowner must agree to maintain the grass for ten years from the date of seeding including reseeded at their cost if the initial seeding is not successful. The producer would agree to a ten-year management plan for the land to maintain the grass and follow established grazing standards. A target area for this program has been identified in the watershed, but other sites will be considered on a case by case basis.

The agreement commits the City of Wichita Public Works & Utilities to provide a maximum of \$80,000 subject to availability in FY2012 for producers to convert crop land to grass.

- 2) Working Agreement with the Cheney Watershed Citizens Management Committee and the Reno County Conservation District. (City contribution will not exceed \$145,000)

A management plan for the watershed has been developed by the Reno County Conservation District and the Cheney Watershed Citizens Management Committee that identifies Best Management Practices which will help reduce the pollution entering the reservoir (such as the use of terraces, grassed waterways, range and pasture seeding, riparian filter strips, nutrient management, conservation tillage, crop rotation, brush control, planned grazing systems, and developing rangeland by installing water systems, fencing and filter strips.) The Reno County Conservation District and the Citizens Management Committee are responsible for promoting and documenting the recommendations in the plan. The proposed working agreement promotes the use of BMPs and establishes procedures for payments to producers who implement these practices and projects.

The agreement also includes incentives for small community wastewater treatment plants to make voluntary improvements that improve the quality of discharge. The agreement commits the City of Wichita Public Works & Utilities to provide a maximum of \$145,000 subject to availability in FY 2012 to promote the implementation of BMPs.

- 3) Memorandum of Understanding with the Reno County Conservation District to help implement improvements in the watershed (City contribution will not exceed \$59,377)

The Reno County Conservation District has acquired funds from the Water Resources Cost Share Program and the Non-Point Source Pollution Control Fund which finance up to 70% of the average cost of conservation practices to reduce pollution entering the reservoir. Under the proposed Memorandum of Understanding the City of Wichita would provide up to 30% of the average cost for the improvements. Administration of the funds will be through the Cheney Watershed Citizens Management Committee, composed of landowners and producers in the watershed, which administers the Watershed Management Plan and promotes the installation of BMPs in the watershed. The other counties in the watershed (Stafford, Pratt and Kingman counties) have also agreed to participate in the program. Projects completed in those counties will be submitted to the City through the Reno County Conservation District. The total cost to the City shall not exceed \$33,145 for Water Resources Cost Share projects, and \$26,232 for Non-Point Source projects, for a total combined amount of \$59,377 subject to availability in FY 2012.

- 4) Memorandum of Understanding with the Cheney Lake Watershed, Inc. (City contribution will not exceed \$35,700)

The City Council on October 13, 1998, approved a memorandum of understanding with the Citizen's Management Committee, later incorporated as the Cheney Watershed, Inc., to fund a public relations/education position to assist in the activities of the project, and has renewed that memorandum of understanding annually since then. The staff position has been very successful in increasing the number of projects completed in the watershed, and consequently, improving the water quality in the reservoir.

The total cost of the position is \$41,701. Through this memorandum of understanding the City agrees to provide funds not to exceed \$32,700 in salary, and another \$3,000 for other contractual expenses, for a total of \$35,700. The remaining \$8,300 cost of the position will be obtained from a grant from the Environmental Protection Agency through Kansas Department of Health and Environment.

Financial Considerations: The Wichita Public Works & Utilities 2012 Adopted Operations Budget has allocated \$150,000 in 2012 for the entire Cheney Watershed project (all four agreements). Landowner participation in these programs is voluntary, and allocated funds will be utilized according to the level of participation and approved projects. While the total not to exceed amounts for the projects listed in the report add up to \$320,077, projects are subject to availability and total funding for the four agreements combined will not exceed \$150,000.

Goal Impact: This project addresses the Efficient Infrastructure goal by maintaining and optimizing public facilities and assets.

Legal Considerations: The agreement has been approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council approve the agreement and authorize the necessary signatures.

Attachments: Agreements and Memoranda of Understanding.

Cheney Lake Watershed Inc.

18 E. 7th Avenue
South Hutchinson, KS 67505
620-665-0231
www.cheneylakewatershed.org



December 15, 2011

Debra Ary
Superintendent, Production and Pumping
City of Wichita
Water Production Division
455 N. Main, 8th Floor
Wichita, KS 67202

Dear Deb,

Enclosed are copies of the annual Memorandums of Understanding involving partnership arrangements with the Reno County Conservation District, Cheney Lake Watershed, Inc., and the City of Wichita.

- The first agreement authorizes funding for *contractual expenditures* and is between Cheney Lake Watershed, Inc. and the City of Wichita.
- The second agreement authorizes cost share for *EPA Section 319 Demonstration Projects, Special Projects, Small Community Wastewater Treatment Systems, Perimeter Fencing and Incentives for Continuous CRP*. This agreement is between the Reno County Conservation District, the Citizen's Management Committee and the City of Wichita.
- The third agreement is between the Reno County Conservation District and the City of Wichita for cost share assistance partnered with the State Conservation Commission's *Water Resources* and *NPS* programs.
- The fourth agreement is between the Cheney Lake Watershed, Inc. and the City of Wichita outlining an agreement for incentive payments to producers who convert cropland to permanent vegetation.

After sign-off by the City, please return one copy of each fully executed MOU to us for our records.

Please give me a call if you have additional questions or comments.

Best regards,

A handwritten signature in cursive script, appearing to read "Chloe Wilson".

Chloe Wilson
Office Coordinator

Enclosures

Working Agreement for Water Quality Projects

between

Cheney Lake Watershed, Inc.

and

The City of Wichita

Purpose: The implementation of certain practices in the watershed above Cheney Reservoir has positive impacts on the quality of the water in the North Fork of the Ninnescah River that enters Cheney Reservoir. It is the intent of this agreement to provide an incentive to producers and communities within the watershed to install these beneficial practices.

Incentive Payments for Conversion of Cropland to Perennial Grass: The conversion of cropland to native grasses has positive water quality benefits. Perennial grasses act to slow and filter any water flowing over the grassed area. As water is slowed, the infiltration rate into the soil is increased.

In order to encourage the conversion of cropland to perennial grass in key areas of the watershed, producers may be eligible to receive incentive payments through the Cheney Lake Watershed. The Citizen's Management Committee will establish priority areas that will be eligible for incentive payments.

An incentive payment of \$100 per acre will be paid to the landowner upon completion of the seeding and the development of a management plan. Landowners must agree to maintain the grass for ten years from the date of seeding including reseeding at their cost if the initial seeding is not successful. Cost of incentive payments to the City for FY 2012 will not exceed \$80,000.00. Landowners will make application for the incentive at the Cheney Lake Watershed office prior to implementation.

Citizens' Management Committee Responsibilities

Citizens' Management Committee will:

1. Review and approve or disapprove applications. Notify producers of approval status.
2. Provide producer with recommendations and specifications for seeding. Verify grass seeding has been completed. Assist producer with development of a conservation/management plan that will establish, maintain, and improve the grass over the life of the contract.
3. Calculate the amount of the incentive payment using established rates within this agreement.
4. Prepare requests to City of Wichita for incentive payments including the name, address and Social Security number of the producer completing the cropland conversion and legal description of the demonstration site.
5. Provide an accounting of the cropland conversion including acres seeded and the grass species used.

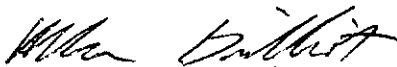
City of Wichita Responsibilities

The City will:

1. Maintain official records relative to the program.
2. Process payments and send them to the producer after a request for payment is received from the Cheney Lake Watershed office.
3. Provide notification to the Project Office of payments as soon as possible within workload requirements.

All Parties:

1. This agreement can be modified with written consent of both parties.
2. This agreement can be terminated with 60 days written notice of either party



Citizen's Management Committee



Date

City of Wichita

Date

Working Agreement for Water Quality Projects

between

Reno County Conservation District

and

Citizens' Management Committee

and

The City of Wichita

Purpose: The implementation of certain practices in the watershed above Cheney Reservoir has positive impacts on the quality of the water in the North Fork of the Ninnescah River that enters Cheney Reservoir. It is the intent of this agreement to provide an incentive to producers and communities within the watershed to install these beneficial practices.

Section 319 Demonstration Projects. In order to establish demonstrations of desirable practices that protect water quality, the Reno County Conservation District will provide 60% of the county average cost or 60% of the actual cost of installing the demonstration whichever is less using KDHE/EPA Section 319 funds and Wichita funds will provide 40% of the cost. This Working Agreement will also establish the procedure by which payments to those producers will be processed. This working agreement will cover Fiscal Year 2012 (Oct 1, 2011 through Sept 30, 2012).

Demonstration projects may include but will not be limited to the following practices: range and pasture seeding, riparian filterstrips, in-field filters, crop rotations/legumes, cross fencing of pastures, alternate watering systems, filterstrips for small livestock feeding operations, stream crossings for livestock, fencing of riparian areas, and the enhancement or creation of wetlands. The Citizen's Management Committee will review applications for demonstration funds and make decisions for approval based on available funds and the need for demonstrations of specific practices. Total costs of the incentive payments for the above mentioned demonstrations for FY 12 to the City of Wichita shall not exceed \$10,000.

Special Projects: In order to implement a broad spectrum of desirable practices that protect water quality, the Citizen's Management Committee and the Reno County Conservation District will seek additional cost share funds from all available sources. These sources may include the Kansas Alliance for Wetlands and Streams, the Kansas Water Office, the Kansas Rural Center, the US EPA and other entities. When these sources provide 60 to 70% of the county average cost or 60-70% of the actual cost of the project, the City of Wichita will provide up to 40% of the cost not to exceed a total of 100% of the cost. In cases where there is no established county average cost, payment will be based upon reasonable costs as determined by the CMC. This Working Agreement will also establish the procedure by which payments to those producers will be processed. This working agreement will cover Fiscal Year 2012 (Oct 1, 2011 through Sept 30, 2012).

These special projects may include but will not be limited to the following practices: range and pasture seeding, riparian filterstrips, in-field filters, crop rotations/legumes, cross fencing of pastures, alternate watering systems, filterstrips for small livestock feeding operations, stream crossings for livestock, fencing of riparian areas, and the enhancement or creation of wetlands for water quality protection. The Citizen's Management Committee will review applications for cost share funds and make decisions for approval based on available funds and the impact of implementing specific practices. Total costs of payments for the above mentioned projects for FY 12 to the City of Wichita shall not exceed \$25,000.

Small Community Wastewater Treatment Systems: There are at least 13 small communities within the Cheney Watershed. Eight of these communities have some type of existing community wastewater treatment

system. These communities are Abbyville, Arlington, Haviland, Partridge, Plevna, Preston, Stafford, Sylvia, and Turon. Communities without a community wastewater treatment system are Langdon, Byers, Castleton, and Penalosa.

Many of the community wastewater treatment systems operate near intermittent or perennial streams. In an effort to protect surface water within the watershed, the Cheney Lake Watershed, Inc. will provide incentive payments to small communities that are upgrading a wastewater treatment system.

The proposed treatment system must meet all current requirements of the Kansas Department of Health and Environment and must also be located within contributing portions of the watershed. Byers and Haviland are located in non-contributing portions of the watershed. Each eligible community may apply for a one-time payment of \$2,500 to match state or federal funds awarded to upgrade the treatment system. Individual communities may make application for assistance through the Cheney Lake Watershed office. The Citizens Management Committee of the CLW will review and approve applications. Cheney Lake Watershed, Inc. will make direct payments to participating communities upon completion of the upgrades. A maximum of two applications per year may be approved and funded.

Cheney Lake Watershed, Inc. will invoice the City of Wichita for the amount paid to participating communities and the City will reimburse CLW, Inc. in an amount not to exceed \$5,000 for FY2012.

Perimeter Fencing: The conversion of cropland to pasture has positive water quality benefits if perennial grasses are established, maintained, and properly grazed. Presently there are no federal or state programs that provide financial assistance for perimeter fences around cropland that is converted to perennial grass. This expense is a major deterrent to conversion of cropland to permanent native grass. Conversion of cropland to grass includes land that has been established in native grass for enrollment in the Conservation Reserve Program. Upon expiration of a CRP contract, assistance with the installation of perimeter fence would be an incentive to the landowner to develop a grazing system rather than returning the land to crop production.

A maximum of two (2) miles of fence is eligible for cost share. The cost share rate for Wichita funds will be 50% of county average cost or 50% of the actual cost whichever is less. The remaining 50% will be the responsibility of the producer. The county average cost for the Water Resources Cost Share (WRCS) program in the county where the practice is installed will be the basis for determining the funding level.

Producers must agree to abide by a grazing management plan developed with the NRCS Field Office for a 10 year period following the installation of the fence.

Applications will be taken at the County Field Office. The Citizen's Management Committee will review and approve the applications. Payment process will be handled by Cheney Lake Watershed with CMC/RCCD approval of all payment applications before sending to Wichita. Cost of incentive payments from the City for FY 2012 will not exceed \$75,000.

The CMC may establish priority areas within the watershed for the use of cost share for perimeter fence.

Incentive Payments for Continuous Sign-up Conservation Reserve Program (CRP): The conversion of small, strategic parcels of cropland to native grasses has positive water quality benefits. The grasses act to slow and filter any water flowing over the grassed area. By locating these small parcels of perennial grasses adjacent to perennial or intermittent streams, nearly the same benefits may be achieved regarding water quality as converting an entire field to grass.

Continuous Sign-up CRP is a program of the USDA, administered by the Farm Service Agency. The Buffer Initiative Program is administered by the State Conservation Commission and local conservation districts.

These programs partner to provide annual payments on 10 or 15 year contracts, cost share for establishment, and incentive payments. In order to maximize utilization of these programs in key areas of the watershed, producers may be eligible to receive additional cost share and incentive payments through the Cheney Lake Watershed. The Citizen's Management Committee will establish priority areas and determine CRP practices that will be eligible for Wichita payments.

Continuous CRP provides cost share of up to 90% for the earthwork and seeding of Continuous CRP contracts. The cost share rate for Wichita funds will be up to 30% of county average cost or 30% of the actual cost whichever is less but total cost share funds will not exceed 100% of the actual cost. The cost of payments for establishment of Continuous CRP in FY 2012 will not exceed \$20,000 in Wichita funds. Cost share funds will be paid to the owner or operator, whichever incurred the cost of establishment. The Citizen's Management Committee will review and approve the applications for cost share assistance. Payment process will be handled by Cheney Lake Watershed with CMC/RCCD approval of all cost share payments before sending to Wichita.

An incentive payment of \$200 per acre will be paid to the landowner or farm operator upon approval of the contract with FSA. Incentive payments will be paid to the owner or operator or split between them in the same manner that the Continuous CRP payments are to be paid. Cost of incentive payments to the City for FY 2012 will not exceed \$10,000. Incentive payments will be paid to the owner and/or operator based upon the shares indicated in the CCRP contract for annual payments from USDA. Participants must provide a copy of their CCRP contract to the Cheney Lake Watershed office to receive signup incentive payments.

Reno County Conservation District Responsibilities

The Reno County Conservation District will:

1. Maintain official records relative to farms and other official records.
2. Will provide a breakdown of the units (acres, linear feet, etc.) performed.
 - a. Best Management Practice (BMP) applied.
 - b. Total of the units applied or completed.
 - c. The county average cost for the BMP, if available.
 - d. Actual cost incurred by owner
3. Calculate the amount of the incentive payment using established rates within this agreement. Total amount to a single producer in one year under any single program will not exceed \$10,000.
4. Provide the City of Wichita the name, address and Social Security number of the producer completing the demonstration, the type of practice implemented, and legal description of the demonstration site.
5. Provide an accounting of the program to the City of Wichita.

Citizens' Management Committee will:

1. Establish the sign up period with Reno County Conservation District (RCCD).
2. Review, prioritize, and approve or disapprove applications. Notify producers or communities of approval status.
3. Prepare payment applications and review with RCCD before forwarding to City of Wichita for payment.
4. Make direct payments to small communities for upgrades in wastewater treatment systems and invoice the City of Wichita for reimbursement.

City of Wichita Responsibilities

The City will:

1. Maintain official records relative to the program.
2. Will process payments and send them to the producer after a request for payment is received from the Cheney Lake Watershed office.
3. Provide notification to the Project Office of payments as soon as possible within workload requirements.
4. Provide reimbursement to the Cheney Lake Watershed, Inc. for payments made to small communities for upgrades in wastewater treatment systems.

All Parties:

1. This agreement can be modified with written consent of both parties.
2. This agreement can be terminated with 60 days written notice of either party



Reno County Conservation District

11-8-11

Date



Citizen's Management Committee

11-7-11

Date

City of Wichita

Date

**Memorandum of Understanding
between
Reno County Conservation District
And
The City of Wichita**

Purpose: The implementation of certain practices in the watershed above Cheney Reservoir has positive impacts on the quality of the water in the North Fork of the Ninnescah River which enters Cheney Reservoir. It is the intent of this agreement to provide 100% cost share reimbursement, within the county average costs, to producers within the watershed who install such beneficial practices, and to establish the procedure by which payments to those producers will be processed. Under the Water Resources Cost Share Program (WRCS) and the Non-Point Source Pollution Control Fund (NPS) the producer will implement or install eligible improvements, and then apply for reimbursement for the cost of implementing those improvements. Under this program the producer is eligible to receive state reimbursement up to 70% of the cost. The intention of this agreement is to facilitate a means whereby the producer could receive 100% reimbursement by having the City of Wichita provide up to a 30% cost share payment for the improvements. This MOU will cover cost share practices installed under the FY 2012 program year beginning July 1, 2011 through June 30, 2012.

Reno County Conservation District Responsibilities:

The District:

1. Will maintain official records relative to farms and determine the producer's eligibility to participate in Water Resources Cost Share (WRCS) and Non-Point Source Pollution Control Fund (NPS) and other official records.
2. Will be responsible for maintaining County Average Costs. County Average Costs will be the basis for determining if the practices instituted by the producer were done in a cost effective manner. Expenses incurred by the producer above the County Average Cost will not be eligible for reimbursement.
3. Will provide to the City a breakdown of the units (acres, lineal feet, etc.) performed which will include a copy of the CS4 form showing:
 - a. Best Management Practice (BMP) applied.
 - b. Total of the units applied or completed.
 - c. The County Conservation District County Average Cost for the BMP.
 - d. Dollar amount eligible for cost-share.
 - e. Dollar amount paid by cost-share fund.
4. Will administer the cost share amount to the producer for WRCS and NPS funds.
 - a. The maximum WRCS cost share to a single Reno County producer in a fiscal year is limited to \$5,000. The maximum NPS cost share to a single Reno County producer is limited to \$7,500 for livestock waste systems or \$2,000 for household waste systems per fiscal year. The amount is calculated on the county Average Cost or actual cost for the practice applied, whichever is less. The total amount of cost share funds available in Reno County for FY2012 will be \$34,156 for WRCS and \$31,485 for the NPS Program.
 - b. The maximum WRCS cost share to a single Stafford County producer in a fiscal year is limited to \$10,000. The maximum NPS cost share to a single Stafford County producer is limited to \$5,000 per fiscal year. The amount is calculated on the county Average Cost or actual cost for the practice applied,

whichever is less. The total amount of cost share funds available in Stafford County for FY2012 will be \$27,167 for WRCS and \$20,441 for NPS.

c. The maximum WRCS cost share to a single Pratt County producer in a fiscal year is limited to \$4,000. The maximum NPS cost share to a single Pratt County producer is limited to \$3,000 per fiscal year. The amount is calculated on the county Average Cost or actual cost for the practice applied, whichever is less. The total amount of cost share funds available in Pratt County for FY2012 will be \$26,300 for WRCS and \$18,736 for the NPS Program.

d. The maximum WRCS cost share to a single Kingman County producer in a fiscal year is limited to \$3,500. The maximum NPS cost share to a single Kingman County producer is limited to \$10,000 for livestock waste systems or \$3,000 for household waste systems per fiscal year. The amount is calculated on the county Average Cost or actual cost for the practice applied, whichever is less. The total amount of cost share funds available in Kingman County for FY2012 will be \$22,860 for WRCS and \$16,778 for the NPS Program.

5. Will calculate the balance of the cost share to the producer to equal 100% of the County Average Cost. This amount will be calculated as 30% of the County Average Cost, or actual cost whichever amount is less.

6. Will provide the City of Wichita the name, address and Social Security number of the producer receiving payment, the type of practice implemented and legal site description of the improvement.

City of Wichita Responsibilities:

The City:

1. Will maintain official records relative to the cost-share program.
2. Will process payment requests upon receipt of the paperwork from the Reno County Conservation District and send payment to the producer as soon as possible within workload requirements. This payment will provide the balance of the cost share to the producer up to 100% of the County Average Cost. This amount will be calculated as 30% of the County Average Cost or actual cost, whichever amount is less. Total costs to the City of Wichita shall not exceed \$33,145 for FY 2012 WRCS and \$26,232 for FY 2012 NPS Program.
3. Will provide an accounting of the program at the request of the Reno County Conservation District.

Both Parties:

1. This agreement can be modified with consent of both parties.
2. This agreement can be terminated with 60 days written notice of either party.


Reno County Conservation District

City of Wichita

11-8-11

Date

Date

**Memorandum of Understanding
between Cheney Lake Watershed, Inc.
and the City of Wichita**

Purpose: The implementation of certain practices in the watershed above Cheney Reservoir has positive impacts on the quality of the water in the North Fork of the Ninescah River which enters Cheney Reservoir. The North Fork Ninescah River, Cheney Lake Watershed; Citizen's Management Committee, incorporated as Cheney Lake Watershed, Inc., is responsible for implementing the Watershed Management Plan accepted by the City of Wichita and the Kansas Department of Health and Environment. It is the intent of this agreement to supply funds to provide contractual services needed to enhance and increase watershed improvement.

Personnel Services

The duties and responsibilities of this position will include:

- Assisting the Citizen's Management Committee (CMC) with small group meetings.
- Make follow-up one-on-one contacts, in consultation with the CMC, with producers expressing an interest in implementing Best Management Practices.
- Collect baseline information from producers to establish profitability with environmental soundness using different cropping systems.
- Coordinate with local news media, issue news releases and/or feature articles that highlight watershed projects, especially those that help accomplish watershed goals.
- Assist in preparation of grant requests necessary to assist in funding of projects associated with the watershed improvement management plan.

The City of Wichita agrees to provide funds, not to exceed \$32,700, in year 2012 towards the cost of personnel services and mileage associated with this position.

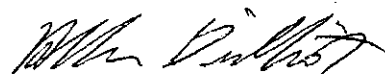
The Cheney Lake Watershed, Inc. will be responsible for hiring the person filling this position and for supervisory control of the person. Cheney Lake Watershed, Inc. will invoice the city of Wichita for the cost of this position on a regular basis, and the city of Wichita will reimburse Cheney Lake Watershed, Inc. for those expenses.

Other Contractual Expenses

The City of Wichita agrees to provide funds, not to exceed \$3,000, in the year 2012 toward the cost of other contractual expenses of Cheney Lake Watershed, Inc.

Cheney Lake Watershed, Inc. will invoice the City of Wichita for contractual expenses incurred in 2012 and the City of Wichita will reimburse Cheney Lake Watershed, Inc. for those expenses.

It is agreed by both parties that this agreement can be modified with the written consent of each party and this agreement can be terminated with 60 days written notice of either party.



Cheney Lake Watershed, Inc.

11-7-11
Date

City of Wichita

Date

Attest: _____

Approved this _____ day of _____, 2011

City Attorney

CITY OF WICHITA
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Partial Acquisition of 635 Wheatland Place for the Central: 119th to 135th Street Road Improvement Project (District V)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Approve the acquisition.

Background: On August 19, 2008, the City Council approved the design concept to improve Central Avenue from 119th Street West to 135th Street West. The project will require the acquisition of all or part of 25 tracts. The improvements include straightening Central, providing signalization at the intersection of Central and 135th Street, and improving area storm drainage. The property at 635 Wheatland Place is improved with a single-family residence and backs up to the Central Avenue corridor. There is a secondary ingress/egress to the property off of Central. The necessary right-of-way is already in place however; it is necessary to acquire a temporary construction easement at the driveway.

Analysis: The owner agreed to accept the appraised offer of \$100 for the temporary easement and \$400 for damages to landscaping.

Financial Considerations: The funding source is General Obligations Bonds. A budget of \$750 is requested. This includes \$500 for the property and \$250 for closing costs and related charges.

Goal Impact: The acquisition of this tract is necessary to ensure Efficient Infrastructure by improving an arterial street through a developed part of the City.

Legal Considerations: The Law Department has approved the real estate purchase agreement as to form.

Recommendation/Action: It is recommended that the City Council; 1) Approve the contract; 2) Approve the budget; and 3) Authorize all necessary signatures.

Attachments: Aerial map, tract map, and real estate purchase agreement.

PROJECT: Central Avenue

DATE: February 29, 2012

COUNTY: Sedgwick

TRACT NO.: 21

CITY OF WICHITA, KANSAS
A MUNICIPAL CORPORATION

CONTRACT FOR TERMS OF TEMPORARY EASEMENT

THIS AGREEMENT made and entered into this 29th day of February, 2012 by and between:

John J. Voegeli, Jr. and Betty M. Voegeli, and the City of Wichita, State of Kansas,

WITNESSETH, For consideration as hereinafter set forth, the landowner(s) hereby agree(s) to convey unto the City, their duly authorized agents, contractors and assigns the right to enter upon the following described land in Sedgwick County to wit:

Temporary Construction Easement:

A parcel of land in Lot 3, Block 1, Rainbow Lakes Estates in the Northwest Quarter of Section 24, Township 27 South, Range 2 West of the Sixth Principal Meridian, Sedgwick County, Kansas, said parcel of land being more particularly described as follows:

The North 10 feet of the East 30.14 feet of said Lot 3, Block 1, Rainbow Lakes Estates, Sedgwick County, Kansas.

Said parcel contains 301 sq. ft.

It is understood and agreed that landowner(s) is/are responsible for all property taxes on the above described property accrued prior to the conveyance of title to the City. In the event of relocation, landowner(s) hereby expressly agrees and covenants that they will hold and save harmless and indemnify the City and its authorized representatives from any and all costs, liabilities, expenses, suits, judgements, damages to persons or property or claims of any nature whatsoever which may occur during the time the City becomes legally entitled to the property until the relocation is completed. In no event will the land owner(s) be required to move until the City becomes legally entitled to the property.

The City agrees to purchase the above described real estate, and to pay therefore, the following amount within 60 days after the temporary easement conveying said property free of encumbrance has been delivered.

301 sq. ft. for Temporary Easement

\$ 100.00

Cost to Cure:

\$

Damages including but not limited to: _

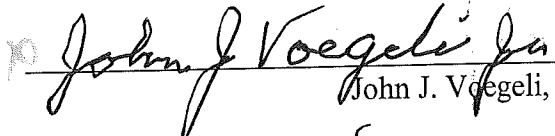
\$ 400.00

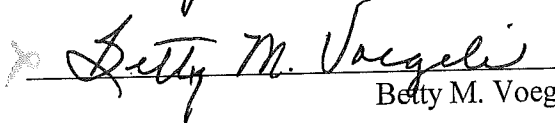
TOTAL \$ 500.00

It is understood and agreed that the above stated consideration for said real estate is in full payment of said tract of land and all damages arising from the transfer of said property and its use for the purposes above set out.

IN WITNESS WHEREOF The parties have hereunto signed this agreement the day and year first above written.

LANDOWNERS:


John J. Voegeli, Jr.


Betty M. Voegeli

City of Wichita
County of Sedgwick
State of Kansas

BUYER:

City of Wichita, KS, a municipal corporation

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, Director of Law

MEMORANDA

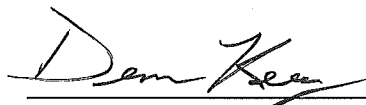
Exact and full name of owner, as it appears of record:

John J. Voegeli, Jr. and Betty M. Voegeli, husband and wife

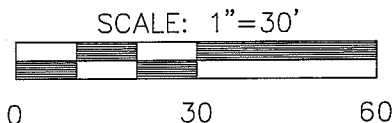
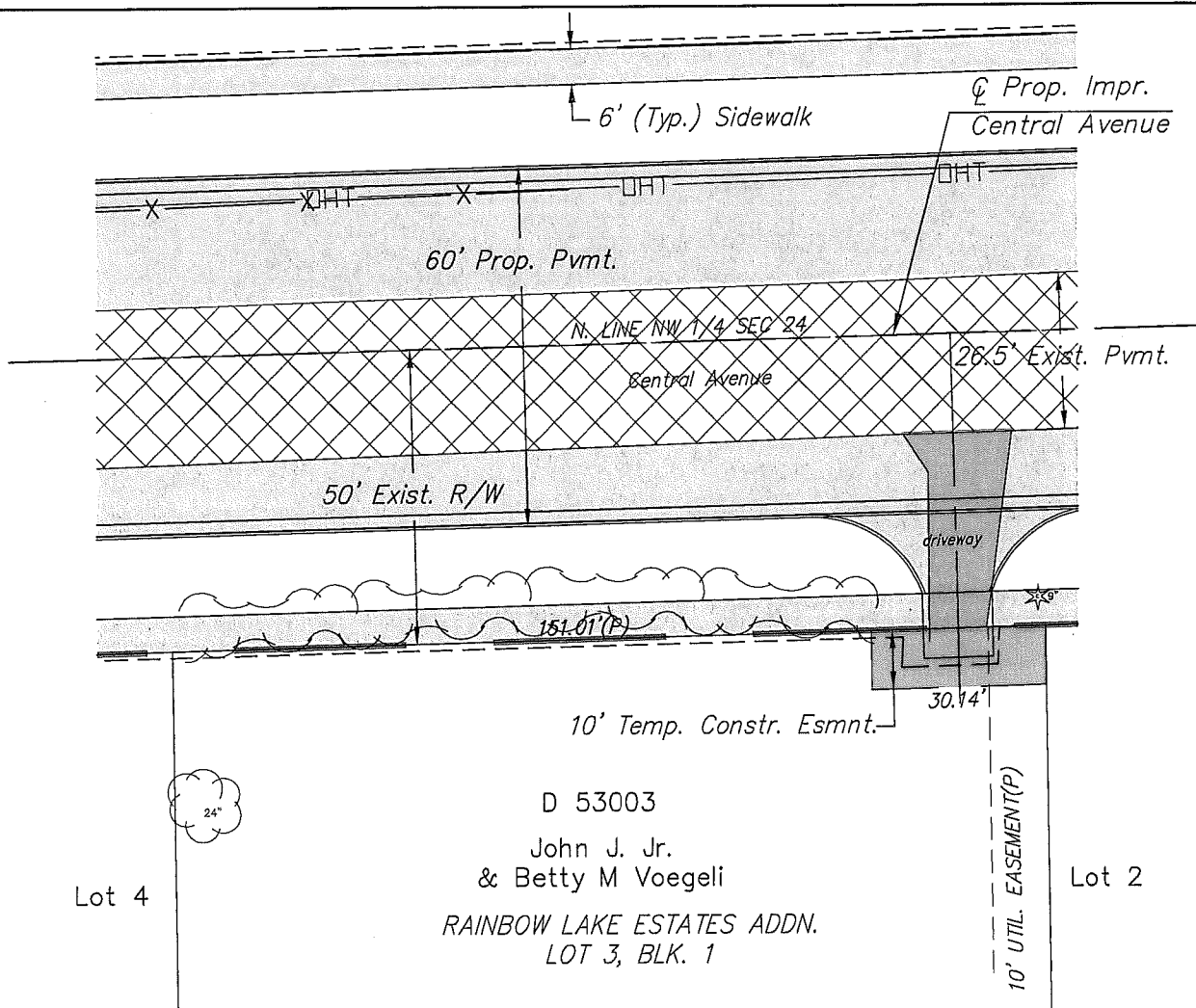
If mortgage or other liens, show names of holders:

REMARKS:

RECOMMENDED BY:

A handwritten signature in cursive script, appearing to read "Dennis Keegan", written over a horizontal line.

Dennis Keegan, Acquisition Agent



LEGAL DESCRIPTION:

Temporary Construction Easement:

A parcel of land in Lot 3, Block 1, Rainbow Lakes Estates in the Northwest Quarter of Section 24, Township 27 South, Range 2 West of the Sixth Principal Meridian, Sedgwick County, Kansas, said parcel of land being more particularly described as follows:

The North 10 feet of the East 30.14 feet of said Lot 3, Block 1, Rainbow Lakes Estates, Sedgwick County, Kansas.

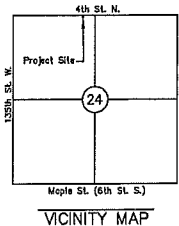
Said parcel contains 301 sq. ft.

Owner:

John J. Jr. & Betty M. Voegeli
635 N. Wheatland Pl.
Wichita, KS 67235

Property Identification:

D 53003



LEGEND

- P - Platted
- Right of Way
- Construction Limits
- Existing paved drives, walks, and street to be removed and replaced
- New street and sidewalks
- Property owners existing drive within Right-of-Way
- Temporary Construction Easement = 301 sq. ft.

J:\CIVIL\04238\DWG\PROP\ROFE TRACTMAP.DWG

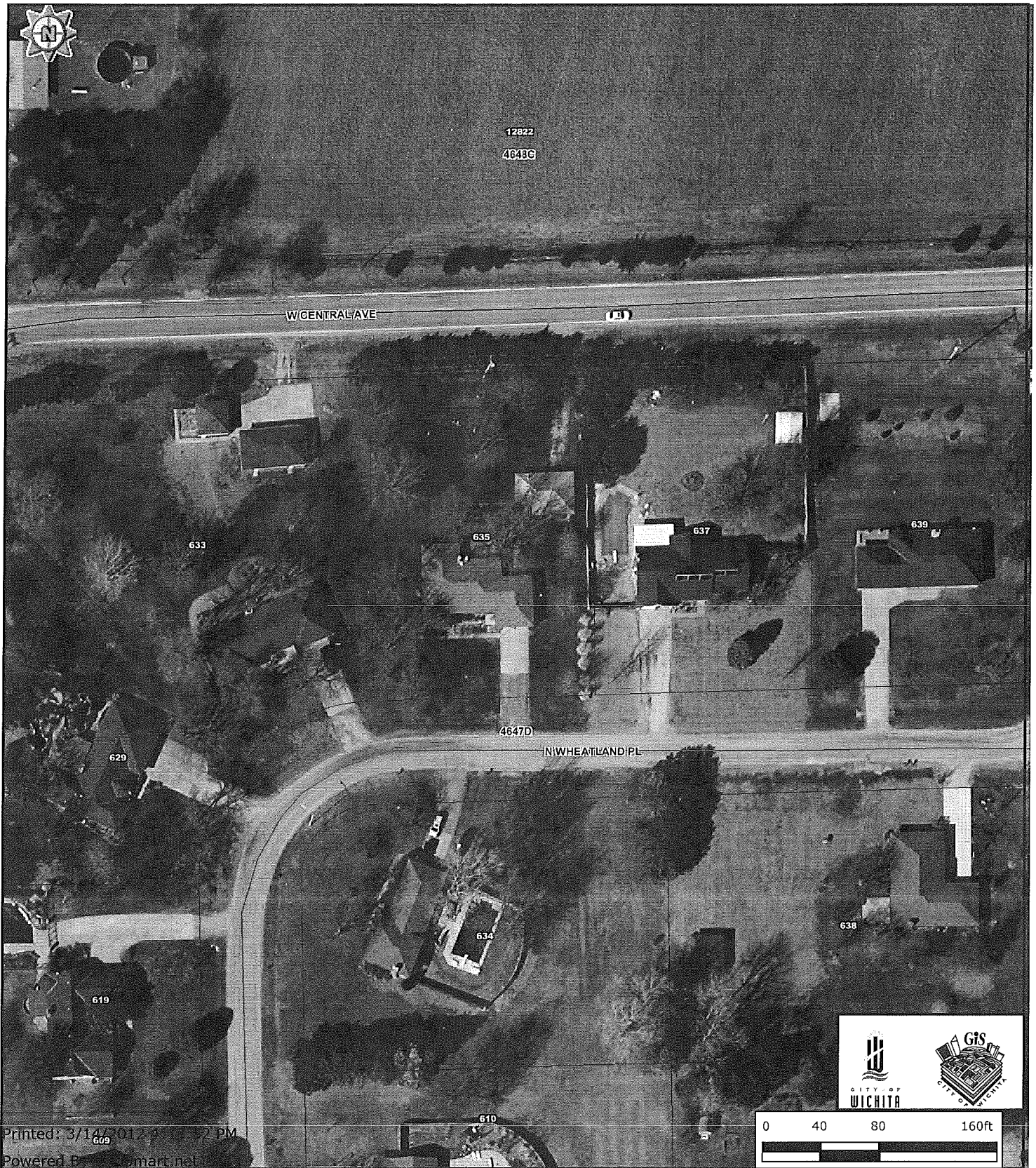


CENTRAL 135TH TO 119TH ST. WEST

TEMPORARY CONSTRUCTION EASEMENT TRACT MAP 21

JRA	WNJ/DSN	JCM
DESIGN BY:	DRAWN BY:	CHECKED BY:
November 2010	March 2011 rev	04238
DATE	JOB NO.	SHEET/OF
		1 / 1

635 Wheatland



Every reasonable effort has been made to assure the accuracy of the maps and associated data provided herein. This information is provided with the understanding that the data are susceptible to a degree of error, and conclusions drawn from such information are the responsibility of the reader. The City of Wichita makes no warranty, representation or guaranty as to the content, accuracy, timeliness or completeness of any of the data provided herein. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita. The City of Wichita shall assume no liability for any decisions made or actions taken or not taken by the reader in reliance upon any information or data furnished hereunder. The user should consult with the appropriate departmental staff member, e.g. Planning, Parks & Recreation, etc. to confirm the accuracy of information appearing in the visual presentations accessible through these web pages.

CITY OF WICHITA
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Partial Acquisition of 1230 North Hoover for the I-235 Floodway Crossing/13th Street Interchange Project (Districts V and VI)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Approve the acquisition.

Background: On March 1, 2011, the City Council approved the design concept to construct an interchange at I-235 and 13th Street North and associated street improvements. On May 24, 2011, the City Council approved funding to complete project design and provide funding for right-of-way acquisition. The improvements include relocating Hoover Road and developing a partial interchange for 13th Street North and I-235. The project will require the acquisition of all or part of 23 tracts. One of the tracts is located at 1230 North Hoover and is developed with a church. The tract has 391,169 square feet and two buildings totaling 14,750 square feet. The project requires 63,436 square feet of the site and 19,394 square feet of temporary easements. The project does not directly impact the improvements but will get within 11 feet of one building and does take a portion of the parking area.

Analysis: The partial acquisition was appraised at \$57,200 consisting of \$47,575 (\$.75 per square foot) for the land and \$9,625 for temporary easements. The owner rejected the offer. The appraisal did not include compensation for the parking area, irrigation well or damages due to proximity of the project to the improvements. After negotiation, the owner accepted \$189,000. Settlement avoids the risk associated with eminent domain and saves the associated administrative costs and the time involved in the process.

Financial Considerations: The funding source for the project is General Obligation Bonds. A budget of \$190,000 is requested. This includes \$189,000 for the acquisitions and \$1,000 for title work, surveys, closing costs, and other administrative fees.

Goal Impact: The acquisition of these parcels is necessary to ensure Efficient Infrastructure by improving the traffic flow through a major transportation corridor.

Legal Considerations: The Law Department has approved the real estate agreement as to form.

Recommendation/Action: It is recommended that the City Council; 1) Approve the budget; 2) Approve the real estate purchase agreement; and 3) Authorize the necessary signatures.

Attachments: Aerial map, real estate agreement, and tract map.

PROJECT: West 13th Street DATE: _____
COUNTY: Sedgwick TRACT NO.: 11, 12, 13, 32 & 33

THE CITY OF WICHITA, KANSAS

CONTRACT FOR CONVEYANCE
OF REAL ESTATE BY WARRANTY DEED
AND TEMPORARY EASEMENT

THIS AGREEMENT Made and entered into this _____ day of _____, 2012, by and between

Berean Baptist Church formerly West Wichita Missionary Baptist Church

1230 N. Hoover Street, Wichita, KS 67212
(Name and Address)

landowner(s), and the City of Wichita of the State of Kansas.

WITNESSETH, For consideration as hereinafter set forth, the landowner(s) hereby agree(s) to convey fee title to the City of Wichita by Warranty Deed and Temporary Easement to the following described real estate in the County of Sedgwick, State of Kansas, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

It is understood and agreed that landowner(s) is/are responsible for all property taxes on the above described property accrued prior to the conveyance of title to the City of Wichita. In the event of relocation, landowner(s) hereby expressly agrees and covenants that they will hold and save harmless and indemnify the City of Wichita and his or her authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property or claims of any nature whatsoever which may occur during the time the City becomes legally entitled to the property and the date of relocation. In no event will the landowner(s) be required to move until the City becomes legally entitled to the property.

The City of Wichita agrees to purchase the above described real estate, and to pay therefore, the following amount within sixty days after the warranty deed conveying said property free of encumbrance has been delivered.

Real property to be acquired as right of way:

71,453 (Sq. Ft.) \$ 185,000.00

Temporary Easement for construction:

13,319 (Sq. Ft.) \$ 4,000.00

Improvement & Buildings acquired with right of way:

TOTAL: \$ 189,000.00

It is understood and agreed that the above stated consideration for said real estate is in full payment of said tract of land and all damages arising from the transfer of said property and its use for the purposes above set out.

IN WITNESS WHEREOF The parties have hereunto signed this agreement the day and year first above written.

LANDOWNERS: Berean Baptist Church

By: Gay D. Carter - Pastor

By: _____

THE CITY OF WICHITA

ATTEST:

By: _____
Carl Brewer, Mayor

By: _____
Karen Sublett, City Clerk

MEMORANDA

Exact and full name of owner, as name appears of record:

Berean Baptist Church and West Wichita Missionary Baptist Church

If mortgage or other liens, show names of holders:

Federal tax lien and past due ad valorem taxes

REMARKS:

PIN/APN D18149002A, D181480002, D30755, D18148001A, D-18147001A
Security Title File Number 2026175, 202202177, 2026195, 2034267, 2034269

APPROVED TO FORM:

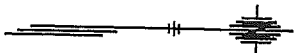
Gary E. Rebenstorf, Director of Law

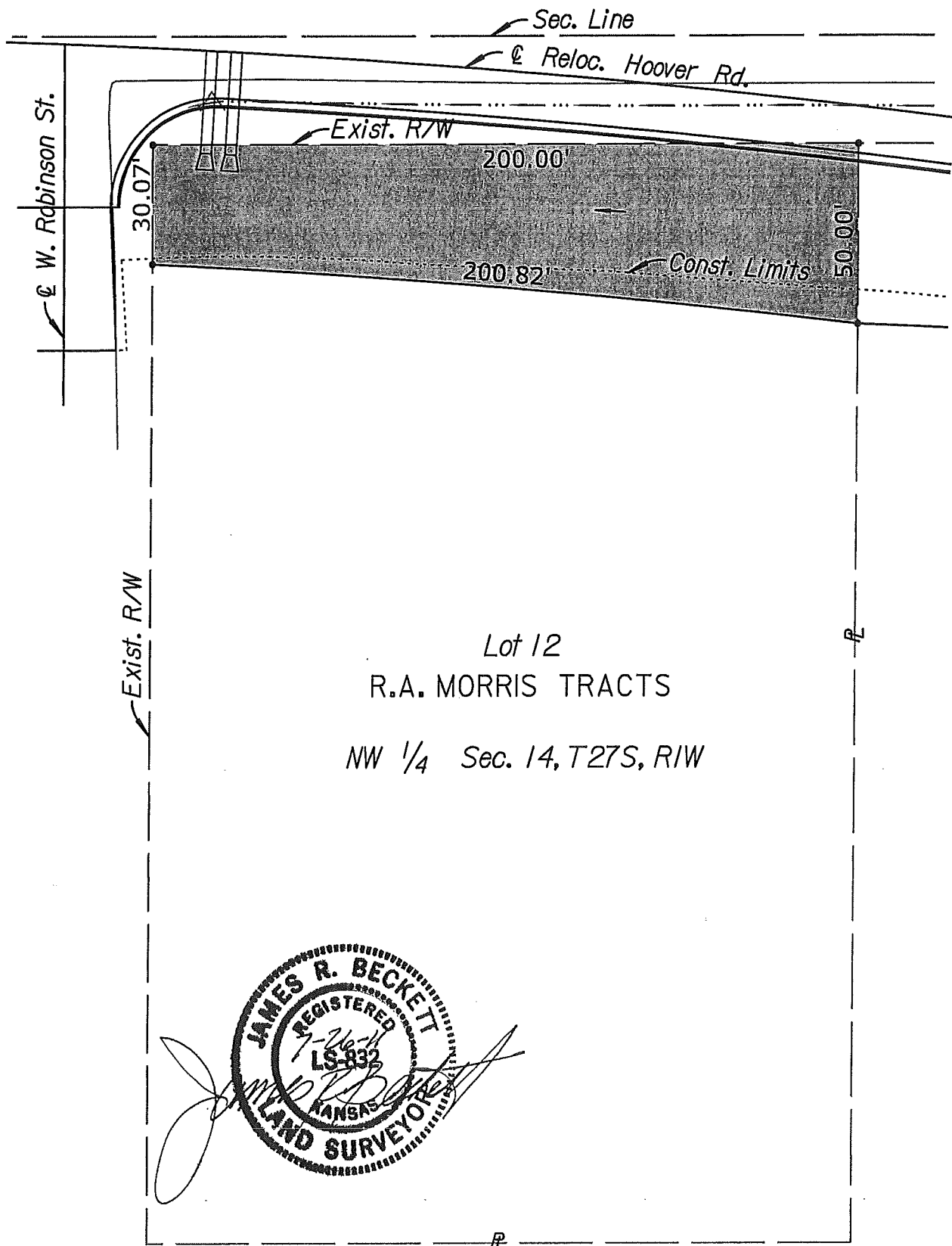
RECOMMENDED BY:

Gerald Cain, Project Manager

TRACT #11 - D-18149002A

Berean Baptist Church, Inc.
Proposed Right of Way

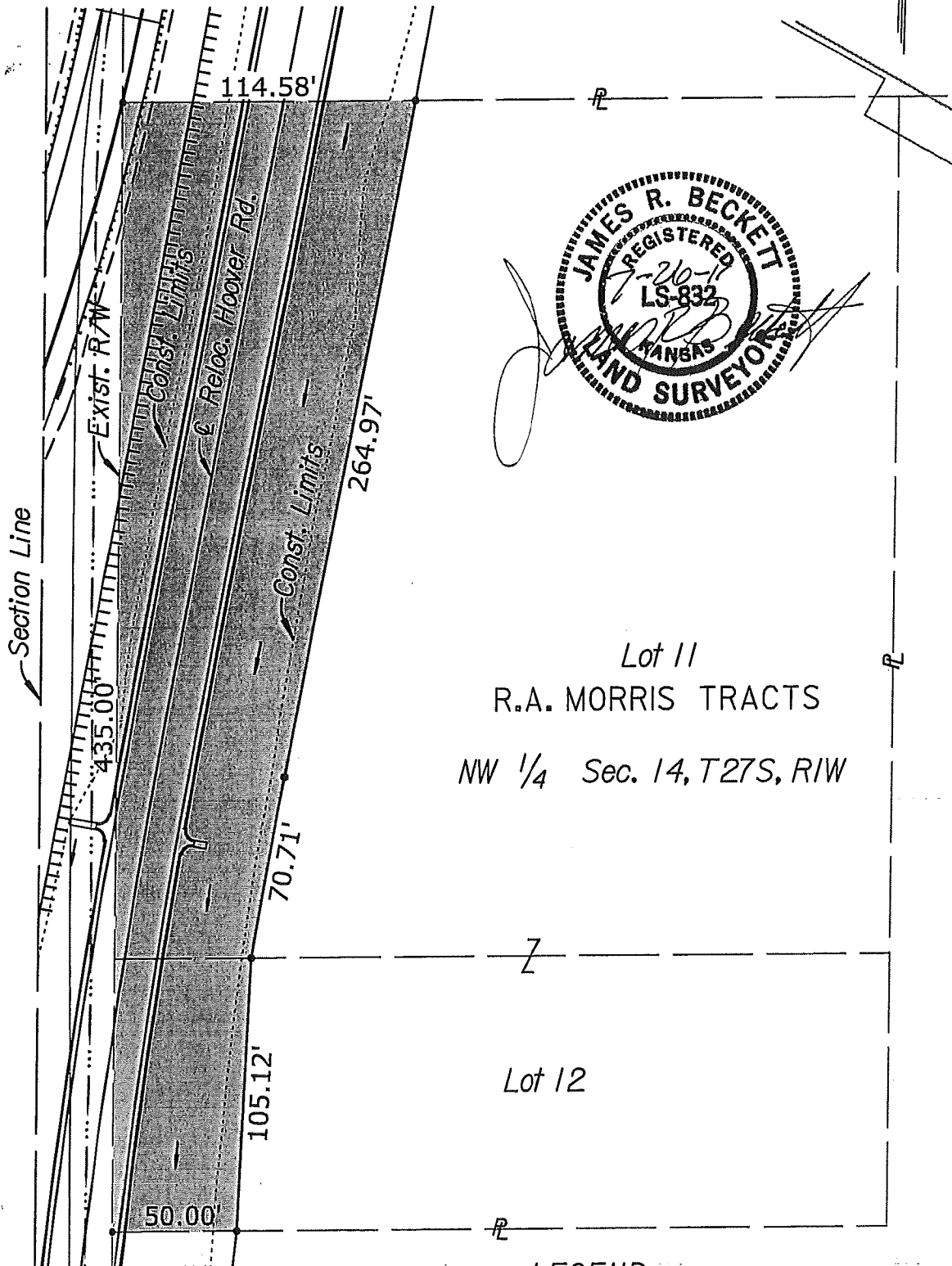

Not to Scale



TRACT #12 - D-181480002

West Wichita Missionary Baptist Church
Proposed Right of Way

Not to Scale



Lot 11
R.A. MORRIS TRACTS
NW 1/4 Sec. 14, T27S, R1W

Lot 12

LEGEND

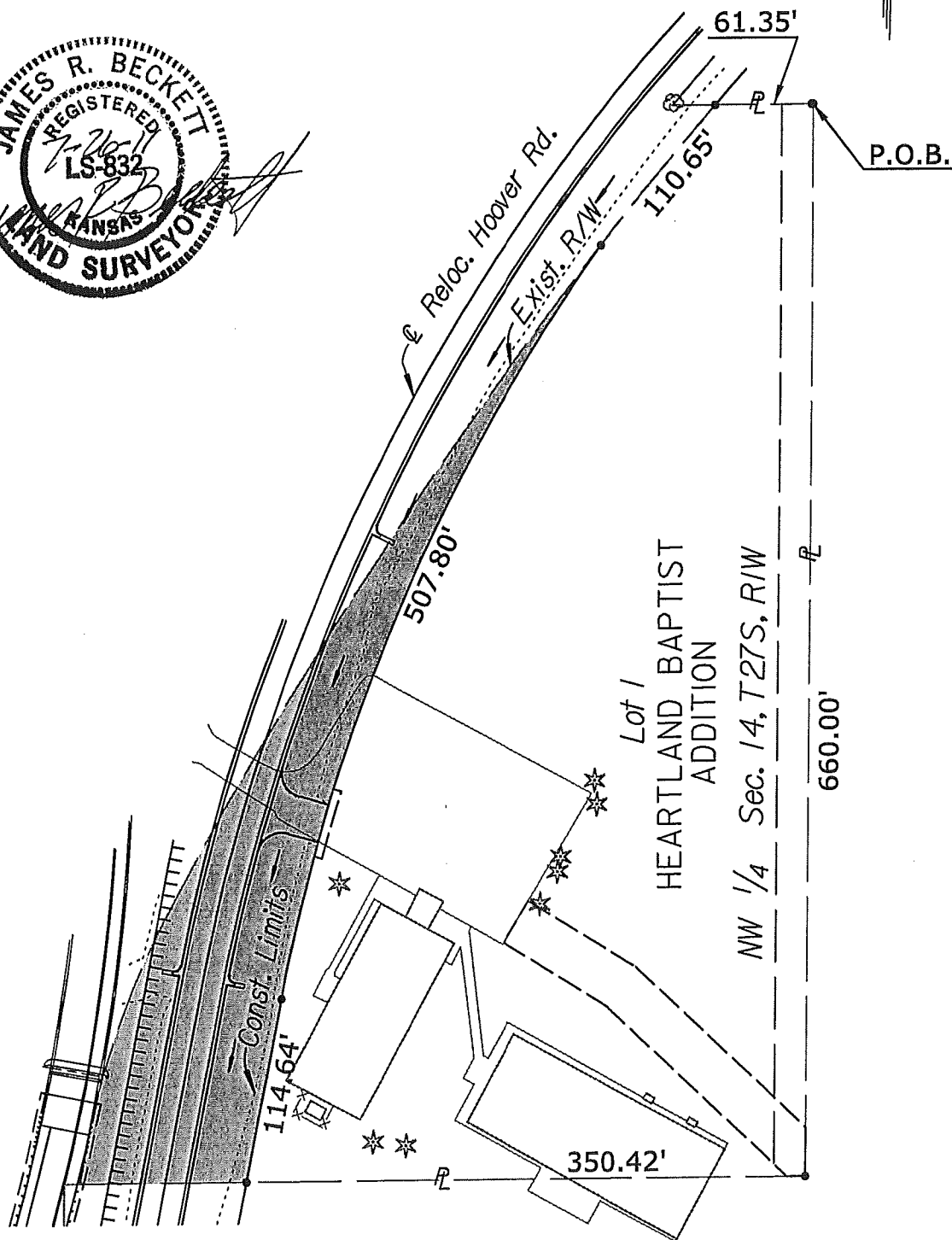
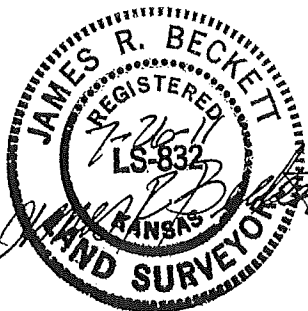
Access Control

July 21, 2011

TRACT #13A - D-30755

West Wichita Missionary Baptist Church
Proposed Right of Way

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LEGEND

Access Control

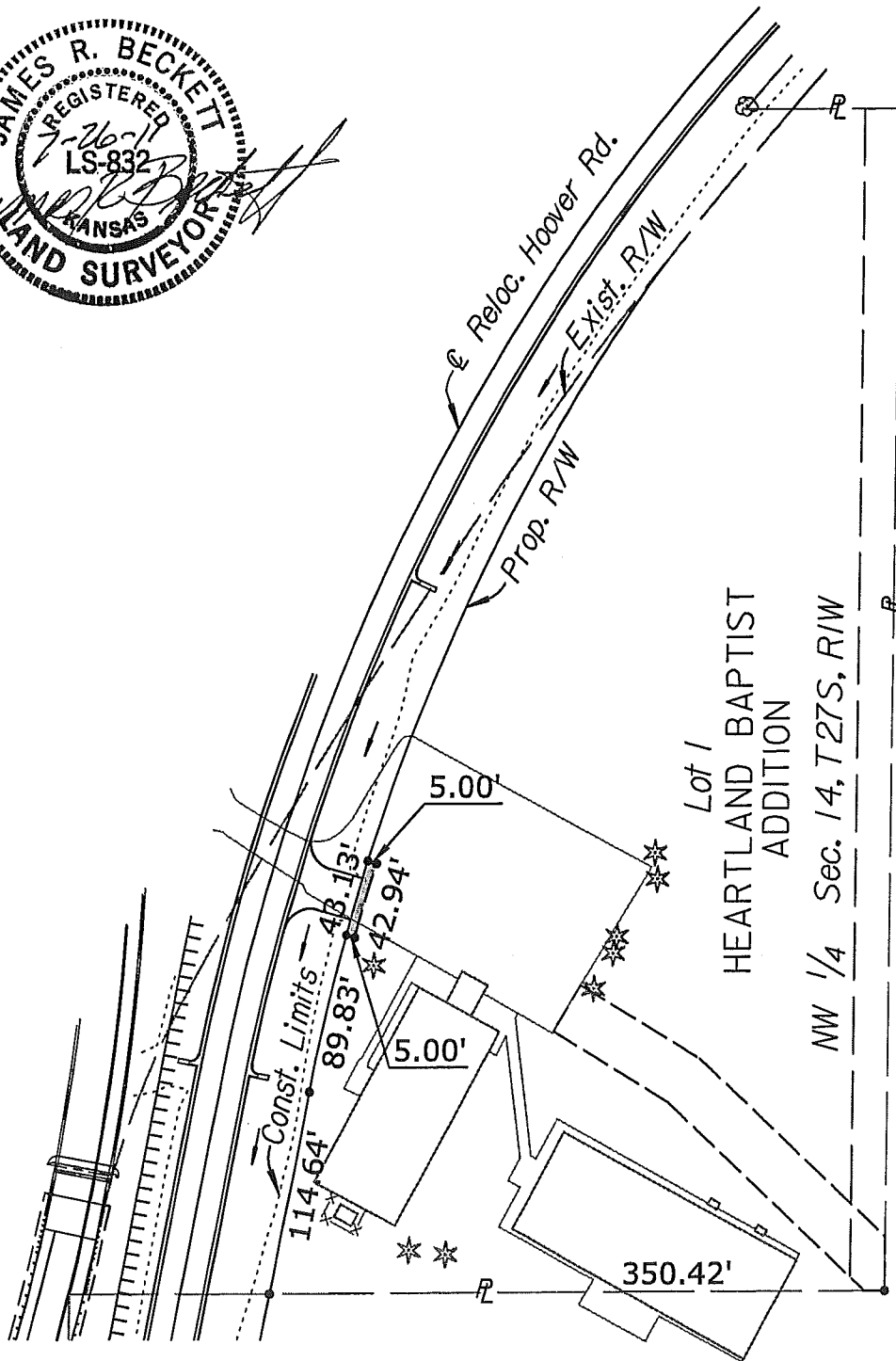
July 21, 2011

TRACT #13B - D-30755

*West Wichita Missionary Baptist Church
Temporary Construction Easement*



Not to Scale



LEGEND

||||| Access Control

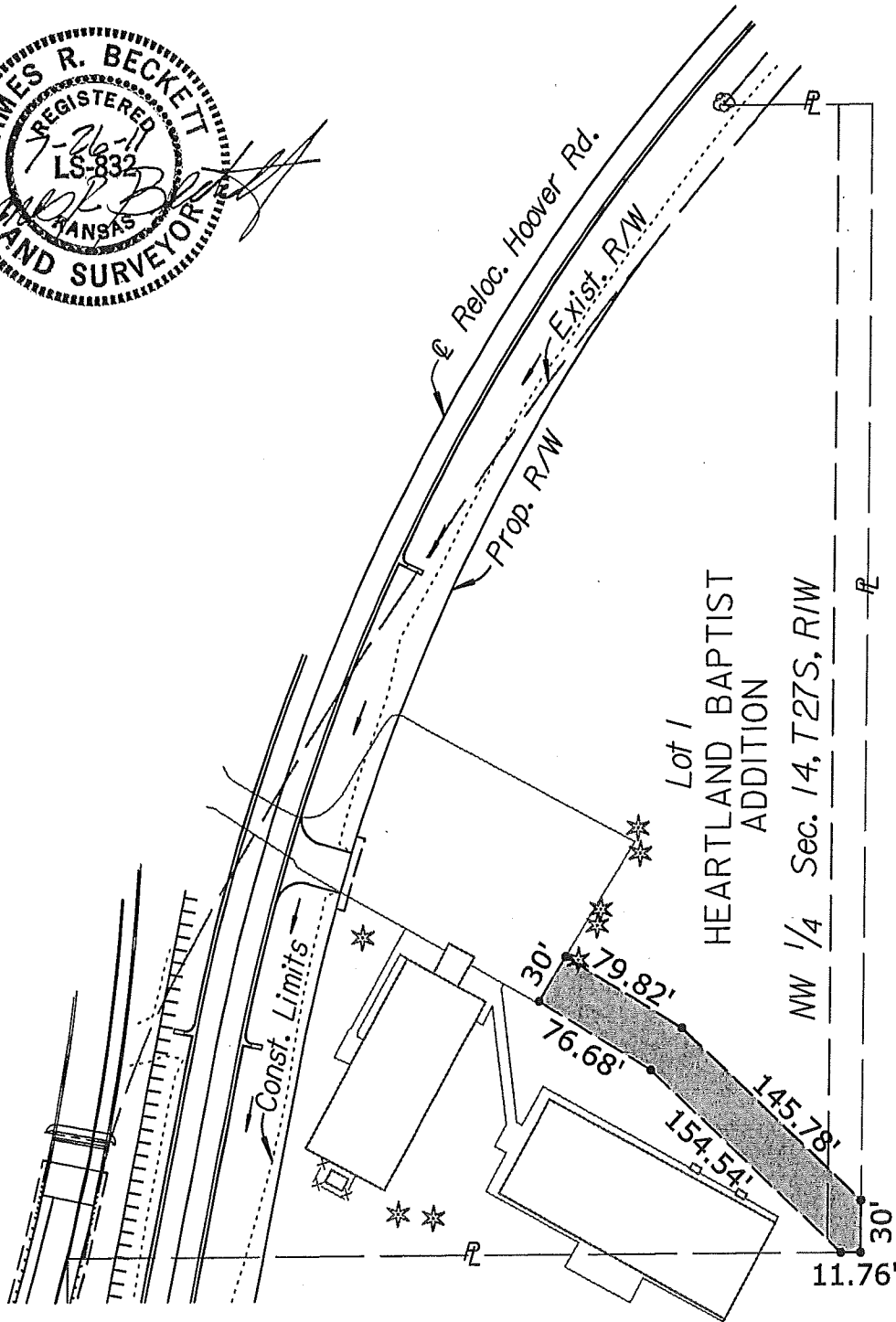
July 21, 2011

TRACT #13C - D-30755

West Wichita Missionary Baptist Church
Temporary Construction Easement



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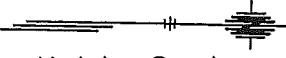
LEGEND

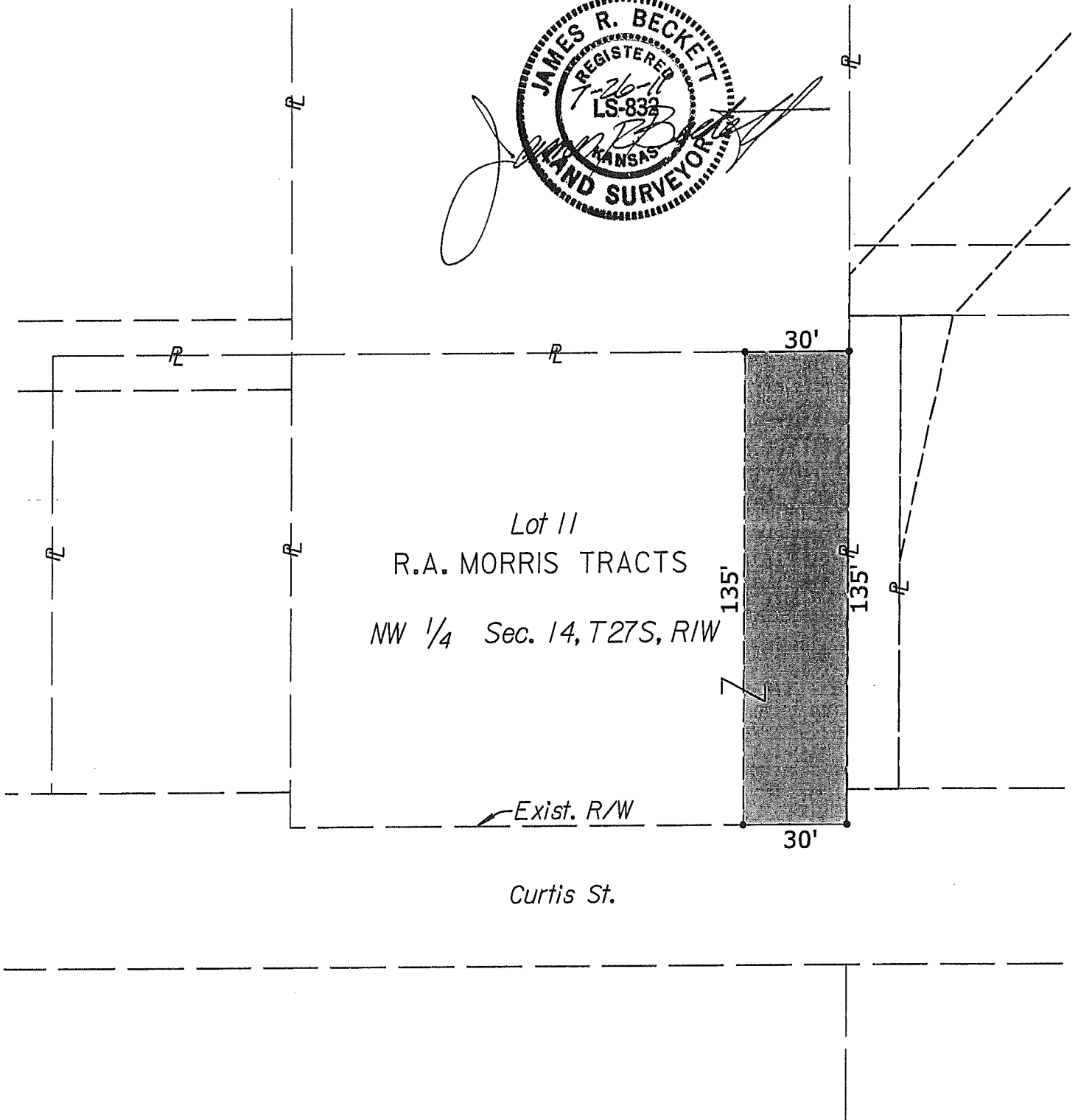
||||| Access Control

July 21, 2011

TRACT #32 - D-18148001A

*Berean Baptist Church of Wichita
Temporary Construction Easement*


Not to Scale

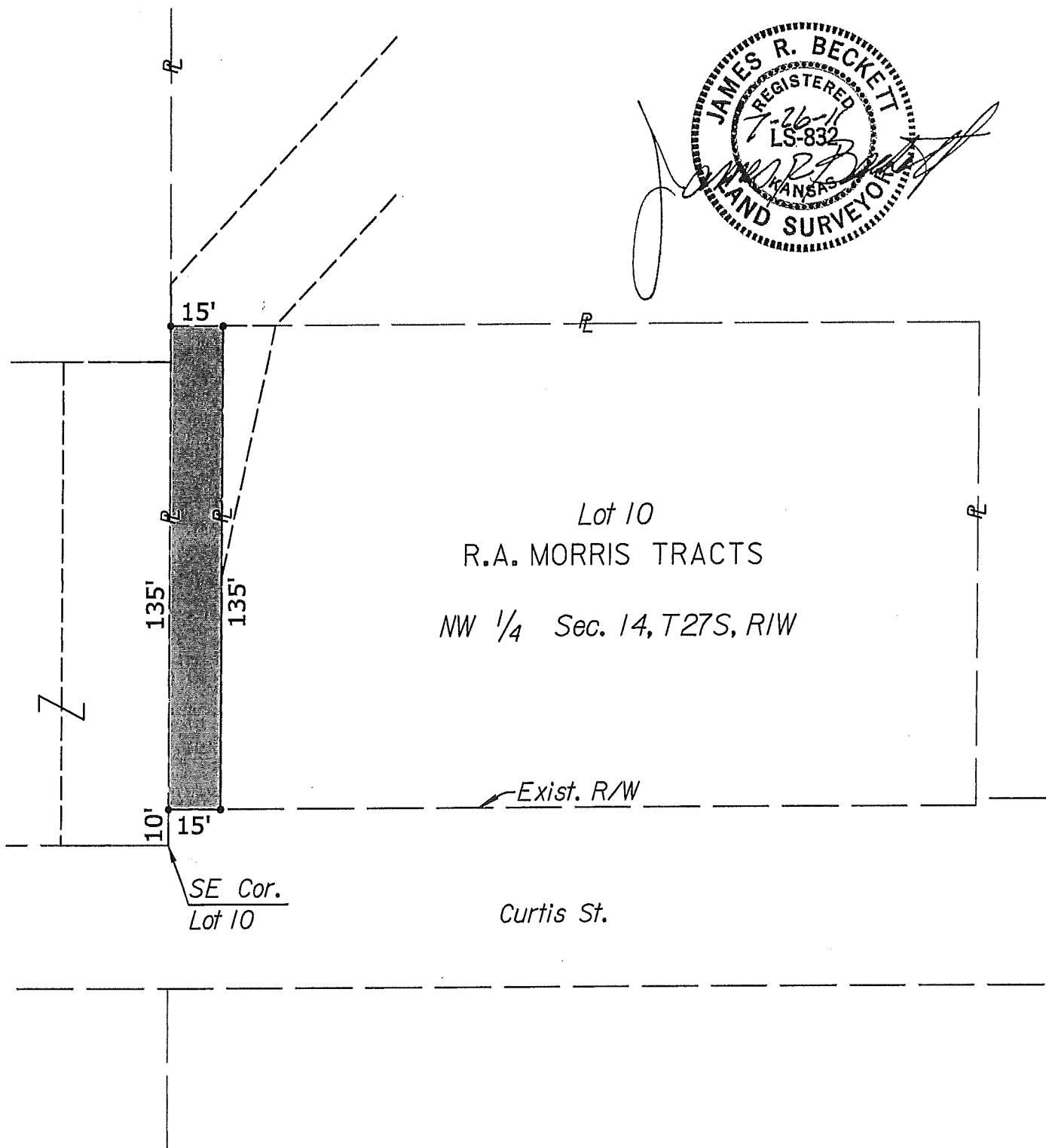


July 21, 2011

TRACT #33 - D-18147001A

*Berean Baptist Church
Temporary Construction Easement*

Not to Scale



July 21, 2011



Berean Baptist - 1230 North Hoover



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CITY OF WICHITA
City Council Meeting
March 27, 2012

TO: Mayor and City Council

SUBJECT: Partial Acquisition of Land in the 14500-14900 Blocks of West Kellogg for the West Kellogg Freeway Project (Districts IV and V)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Approve the acquisition.

Background: On January 6, 2009, the City Council approved the design concept for the Kellogg Freeway, between 111th Street West and 143rd Street West. The proposed improvements include widening the freeway from two lanes in each direction to three lanes in each direction, frontage roads, and grade separation at 119th Street West and 135th Street West. There are 43 tracts which will be impacted by the project. The properties consist of single-family residences, commercial properties, vacant land, and billboards. The properties located in the 14500 to 14900 blocks of West Kellogg are zoned commercial and residential. A property located at 14700 West Kellogg is developed with a private school. There are other tracts in this ownership which remain undeveloped. The improvements are not directly impacted by the project; however, one of the undeveloped parcels, identified as 14926 West Kellogg, will be landlocked after the roadway acquisition. The project requires 13,070 square feet and all access from 14926 West Kellogg; and 718 square feet from the 14700 West Kellogg property together with temporary easements and access control over part of the site.

Analysis: The acquisitions were appraised at \$129,100. This equates to \$3.50 per square foot for the land plus \$1,567 for the temporary easements. After negotiation, the seller agreed to accept \$131,900 for the acquisition. Additionally, the seller will retain the landlocked remnant parcel consisting of 22,650 square feet. Also, the seller has agreed to acquiesce if the City petitions to vacate Fawnwood Drive. Settlement avoids the risk associated with eminent domain and saves the associated administrative costs and the time involved in the process.

Financial Considerations: A budget of \$133,400 is requested. This includes \$131,900 for the acquisition and \$1,500 for the closing costs and other administrative costs. The funding source is Local Sales Tax (LST) and, State and Federal grant funds administered by the Kansas Department of Transportation.

Goal Impact: The acquisition of this easement is necessary to ensure Efficient Infrastructure by improving an arterial street through a developed part of the City.

Legal Considerations: The Law Department has approved the contract as to form.

Recommendation/Action: It is recommended that the City Council; 1) Approve the Budget; 2) Approve the Real Estate Purchase Agreement; and 3) Authorize the necessary signatures.

Attachments: Aerial map, real estate purchase agreement and tract map.

PROJECT: West Kellogg DATE: 03/06/12

COUNTY: Sedgwick TRACT NO.: 15, 16, 17

THE CITY OF WICHITA, KANSAS

CONTRACT FOR CONVEYANCE
OF REAL ESTATE BY WARRANTY DEED AND TEMPORARY
EASEMENT

THIS AGREEMENT Made and entered into this _____ day of _____, 2012, by and between

Wichita Friends School, Inc.

14700 W Hwy 54, Wichita, KS 67235
(Name and Address)

landowner(s), and the City of Wichita of the State of Kansas.

WITNESSETH, For consideration as hereinafter set forth, the landowner(s) hereby agree(s) to convey fee title to the City of Wichita by Warranty Deed to the following described real estate in the County of Sedgwick, State of Kansas, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

It is understood and agreed that landowner(s) is/are responsible for all property taxes on the above described property accrued prior to the conveyance of title to the City of Wichita. In the event of relocation, landowner(s) hereby expressly agrees and covenants that they will hold and save harmless and indemnify the City of Wichita and his or her authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property or claims of any nature whatsoever which may occur during the time the City becomes legally entitled to the property and the date of relocation. In no event will the landowner(s) be required to move until the City becomes legally entitled to the property.

The City of Wichita agrees to purchase the above described real estate, and to pay therefore, the following amount within sixty days after the warranty deed conveying said property free of encumbrance has been delivered.

Real property to be acquired as right of way:
717.80 square feet with access control (Sq. Ft.) \$ 78,500.00

Temporary Easement for construction:
4144.14 (Sq. Ft.) \$ 2,000.00

Improvement & Buildings acquired with right of way:

TOTAL: \$ 80,500.00

It is understood and agreed that the above stated consideration for said real estate is in full payment of said tract of land and all damages arising from the transfer of said property and its use for the purposes above set out.

Landowners agree that if the City should act to vacate that portion of Fawnwood Drive, located adjacent to and west of Lot 1, Block 1 Fawnwood Addition.

IN WITNESS WHEREOF The parties have hereunto signed this agreement the day and year first above written.

LANDOWNERS:

Wichita Friends School, Inc.

Attest

By: _____

By: _____

THE CITY OF WICHITA

ATTEST:

By: _____
Carl Brewer, Mayor

By: _____
Karen Sublett, City Clerk

MEMORANDA

Exact and full name of owner, as name appears of record:
Wichita Friends School, Inc.

If mortgage or other liens, show names of holders:
Mennonite Mutual Aid association Doc. No. 29006414

REMARKS:

PIN/APN D-101004-00UP, D-53444, D-53445
Security Title File Number 2002228, 2002214, 2002227

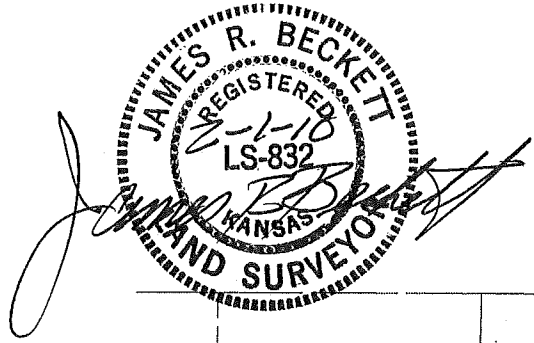
APPROVED TO FORM:

Gary E. Rebenstorf, Director of Law

RECOMMENDED BY:

Gerald Cain, Project Manager

Tract #15A - D-53444
Easement for Right of Way



(Not to Scale)

FAWNWOOD ADDITION



Wichita Friends School, Inc.
D-53444

Area = 717.80 sq. ft.

Exist. R/W R/W 71.18'

Exist. R/W Kellogg Dr. 73.01'

RESERVE "A"

Exist. US-54 R/W

15'
P.O.B.

151st St. W. = Section Line

Exist. R/W

Fawnwood Dr.

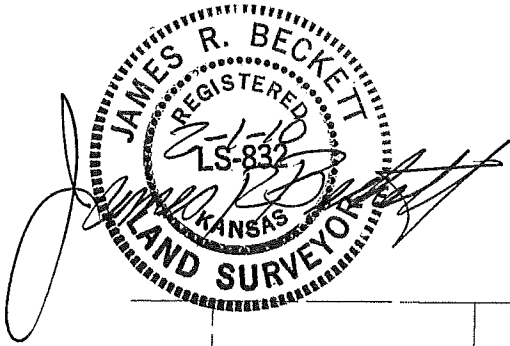
Exist. R/W

SW Cor., Sec. 26, T27S, R2W

Section Line

Tract #15B - D-53444

All Right of Access



(Not to Scale)

FAWNWOOD ADDITION



Wichita Friends School, Inc.
D-53444
1

151st St. W. = Section Line

Exist. R/W

Fawnwood Dr.

Exist. R/W

SW Cor., Lot 1

Exist. R/W

R/W 71.18'

Exist. R/W Kellogg Dr.

P.O.B.

SE Cor., Lot 1

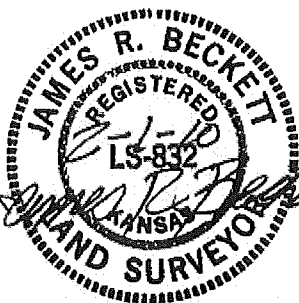
RESERVE "A"

Exist. US-54 R/W

SW Cor., Sec. 26, T27S, R2W

Section Line

Tract #16 - D-53445
All Right of Access



(Not to Scale)

FAWNWOOD ADDITION



Wichita Friends School, Inc.
D-53445

2

P.O.B.

15'

200'

R/W=Exist. R/W

SW Cor., Lot 2

Kellogg Dr.

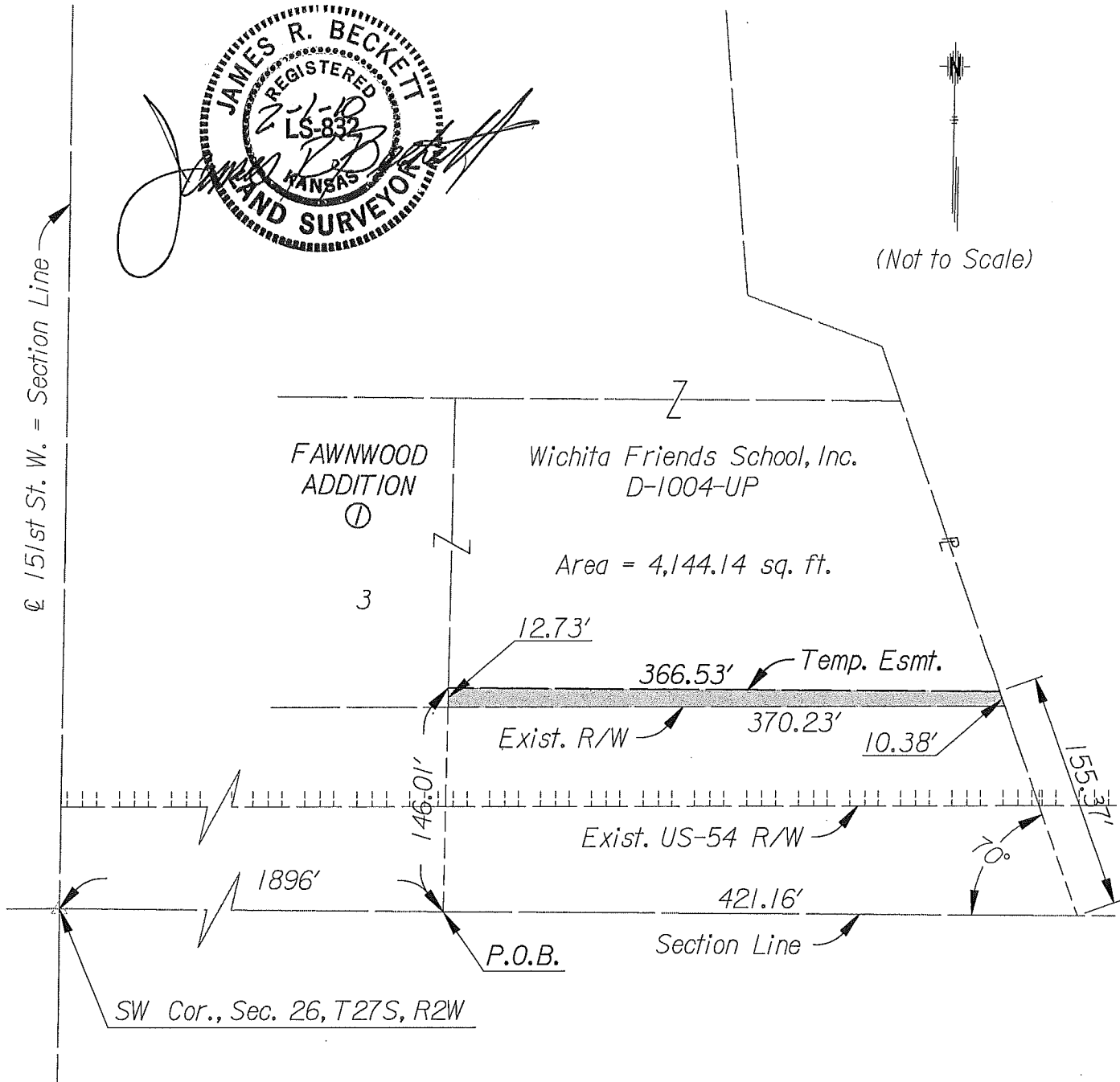
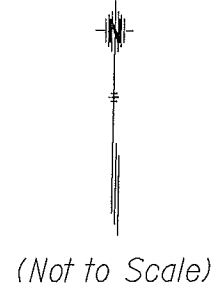
Exist. US-54 R/W

SE Cor., SW 1/4,
Sec. 26, T27S, R2W

Section Line

1/4 Section Line

Tract #17 - D-1004-UP
Temporary Construction Easement



PROJECT: West Kellogg DATE: 03/06/12
COUNTY: Sedgwick TRACT NO.: 13

THE CITY OF WICHITA, KANSAS

CONTRACT FOR CONVEYANCE
OF REAL ESTATE BY WARRANTY DEED

THIS AGREEMENT Made and entered into this _____ day of _____, 2012, by
and between

James R. Perkins, Trustee, James R. .Perkins Trust (Restated 2001)

PO Box 707, Howard, KS 67349
(Name and Address)

landowner(s), and the City of Wichita of the State of Kansas.

WITNESSETH, For consideration as hereinafter set forth, the landowner(s) hereby
agree(s) to convey fee title to the City of Wichita by Warranty Deed to the following
described real estate in the County of Sedgwick, State of Kansas, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

It is understood and agreed that landowner(s) is/are responsible for all property taxes on the
above described property accrued prior to the conveyance of title to the City of Wichita. In
the event of relocation, landowner(s) hereby expressly agrees and covenants that they will
hold and save harmless and indemnify the City of Wichita and his or her authorized
representatives from any and all costs, liabilities, expenses, suits, judgments, damages to
persons or property or claims of any nature whatsoever which may occur during the time
the City becomes legally entitled to the property and the date of relocation. In no event will
the landowner(s) be required to move until the City becomes legally entitled to the property.

The City of Wichita agrees to purchase the above described real estate, and to pay
therefore, the following amount within sixty days after the warranty deed conveying said
property free of encumbrance has been delivered.

\$ 51,400.00

\$ N/A

Improvement & Buildings acquired with right of way:

TOTAL: \$ 51,400.00

It is understood and agreed that the above stated consideration for said real estate is in full payment of said tract of land and all damages arising from the transfer of said property and its use for the purposes above set out.

IN WITNESS WHEREOF The parties have hereunto signed this agreement the day and year first above written.

LANDOWNERS:

By:

James R. Perkins, Trustee, James R. Perkins Trust (Restated 2001)

THE CITY OF WICHITA

ATTEST:

By: _____

Carl Brewer, Mayor

By:

Karen Sublett, City Clerk

MEMORANDA

Exact and full name of owner, as name appears of record:

James R. Perkins, Trustee, James R. Perkins Trust (Restated 2001)

If mortgage or other liens, show names of holders:

Film 2387, Page 1019 – First National Bank

REMARKS:

PIN/APN D-1007-UP

Security Title File Number 20022209

APPROVED TO FORM:

Gary E. Rebenstorf, Director of Law

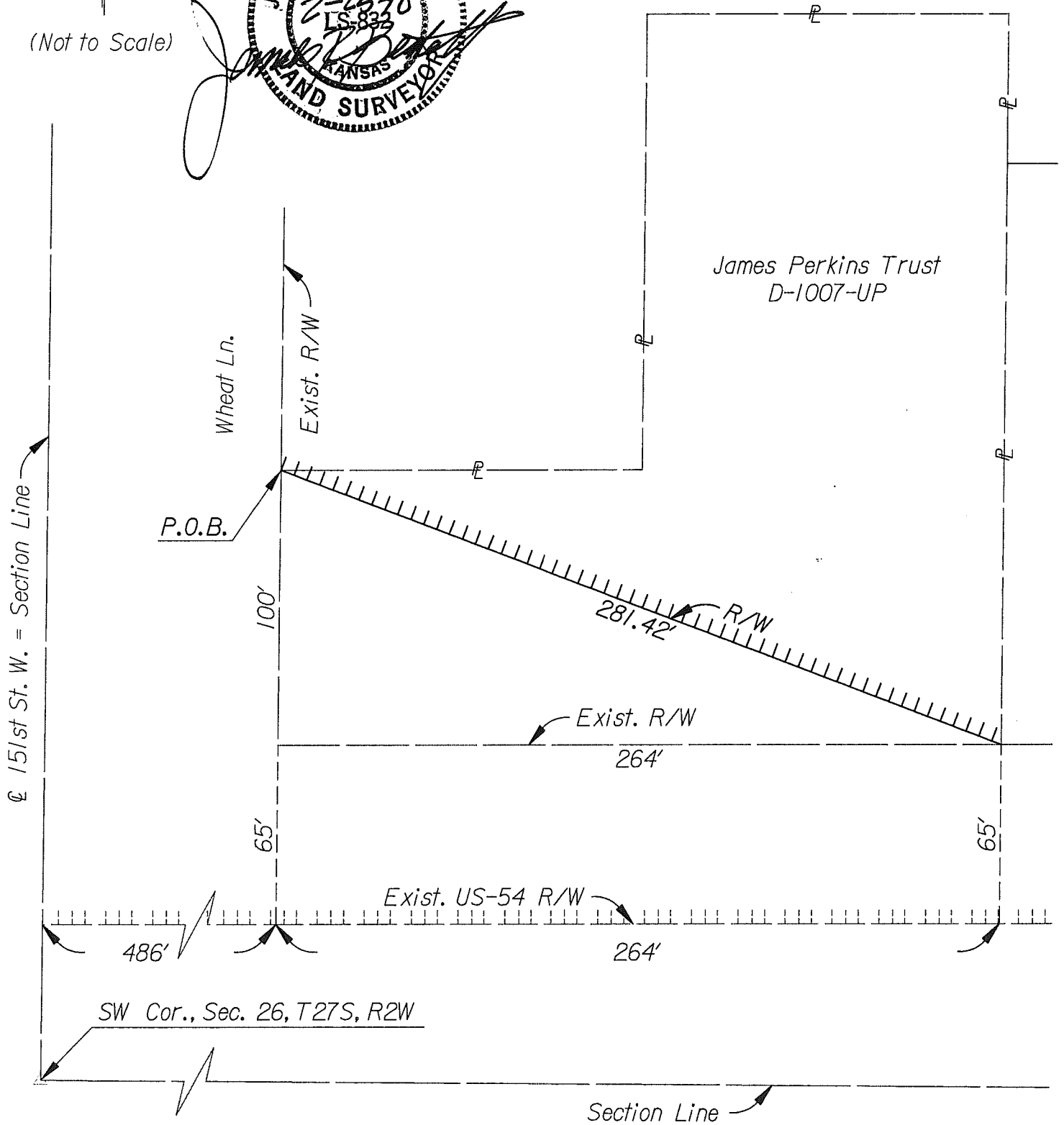
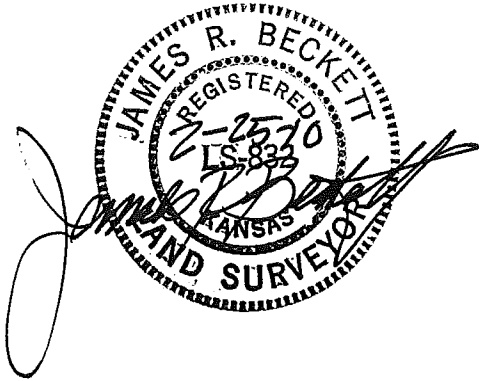
RECOMMENDED BY:

Gerald Cain, Project Manager



Tract #13B - D-1007-UP
All Right of Access

(Not to Scale)





Tracts 13, 15, 16 and 17



- Identified Features
- Property Parcels
- Roads
 - State Highway
 - US Federal Highway
 - Interstate
 - KTA
 - Arterial
 - Collector
 - Minor
 - Ramp
- Railroads
- Township and Range
- Section
- Quarter Section
- Waterways
- Streams
- Parks
- Airports
- SDERASTER.S-DEDATA.ORTH-01FT
- SDERASTER.S-DEDATA.ORTH-0
- City Limits
 - Andale
 - Bel Aire
 - Bentley
 - Cheney
 - Clearwater
 - Colwich
 - Derby
 - Eastborough
 - Garden Plain
 - Goddard
 - Hayesville



Every reasonable effort has been made to assure the accuracy of the maps and associated data provided herein. This information is provided with the understanding that the data are susceptible to a degree of error, and conclusions drawn from such information are the responsibility of the reader. The City of Wichita makes no warranty, representation or guaranty as to the content, accuracy, timeliness or completeness of any of the data provided herein. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita. The City of Wichita shall assume no liability for any decisions made or actions taken or not taken by the reader in reliance upon any information or data furnished hereunder. The user should consult with the appropriate departmental staff member, e.g. Planning, Parks & Recreation, etc. to confirm the accuracy of information appearing in the visual presentations accessible through these web pages.





DEPARTMENT OF LAW
INTEROFFICE MEMORANDUM

TO: Karen Sublett, City Clerk
FROM: Gary E. Rebenstorf, Director of Law
SUBJECT: Report on Claims for February, 2012
DATE: March 9, 2012

The following claims were approved by the Law Department during the month of February, 2012.

AT&T	\$7,429.28* **
Betzen Trenching, Inc.	\$1,282.93**
Black Hills Energy	\$1,074.37
Byler, Tom	\$ 939.28
Coppola, Gregory	\$ 741.86
Davis, Frances	\$ 294.38
Hofmeier, Gary	\$ 135.00
Pearson, Bruce	\$1,500.00
Sandberg, Beverly	\$6,014.05*
TMCS, Inc.	\$3,414.09
Walker, Dwayne	\$ 557.29
Wisley-Gruenwald, Derek	\$1,174.94

*City Manager Approval

** Settled for lesser amount than claimed

***Settled for more than amount claimed

cc: Robert Layton, City Manager
Kelly Carpenter, Director of Finance

**City of Wichita
City Council Meeting
March 27, 2012**

TO: Mayor and City Council Members

SUBJECT: Upgrade for Patron Edge software to include Counter Point Hardware for Arts and Cultural Facilities

INITIATED BY: IT/IS

AGENDA: Consent

Recommendation: Approve the funding for Counter Point hardware and authorize the necessary signatures.

Background: The original contract with Blackbaud, Inc. was approved in April 2005 for the purchase of the Patron Edge software system for ticketing and online ticket sales at Century II. This purchase did not include a sales and inventory system for concessions. On February 7, 2012 City Council approved the software for the point-of-sale system.

Analysis: IT/IS has been working with the Division of Arts and Cultural Services in the development and configuration of the Patron Edge software system. The addition of the Counter Point software will allow for expansion of current services including the ability to automate inventory by creating bar codes for scanning, producing reconciliation reports, creating gift cards that may be used at the Division's Arts and Cultural facilities and automating concession sales. Automation of concession sales and inventory will eliminate concession product waste and create controls for cash and credit card transactions. The purchase of hardware will include twelve point-of-sale terminals, twelve receipt printers, three cash drawers, three integration trays, three keyboards and touchpads and twelve scanners for use at the four facilities currently under the management of the Division.

IT/IS has determined the additional hardware will provide the interface for the software previously approved by Council. The hardware will also include card swipes for credit and debit card use, this is expected to increase earned revenue in all of the facilities. As an integrated addition to the Patron Edge software system, Counter Point will expand and enhance the service capabilities currently being offered to Century II, CityArts, Old Cowtown Museum and Mid-America All-Indian Center.

Financial Considerations: The total cost for the Counter Point hardware is \$32,608. Funding for the project is included in the Capital Improvement Project budget for the renovations of Century II's Concert Hall.

Goal Impact: This project addresses the Internal Perspective goal by influencing the following indicators: Improve Technology Efficiencies and Increase Productivity.

Legal Considerations: The Blackbaud contract ~~and the initiating resolution have~~ *has* been reviewed and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council approve the contract with Blackbaud, Inc. for the Counter Point hardware and authorize the necessary signatures.

Attachments: Quote City of Wichita Counter Point hardware

**Quote**

Quote Number:	1071
Date:	02/17/2012
Sales Person:	Bobby Gay
Valid Until:	04/30/2012

Bill To	Ship To
Ken Berman City of Wichita 455 N. Main St., MS 1-127 Wichita, Kansas 67202	Ken Berman City of Wichita

Requested Hardware Quote

Quantity	Part Number:	Product	List Price	Unit Price	Ext. Price	Discount
8	P1560-00094-BAK	P1560 POS W/S 2GB Windows 7 P1560 2.0 C HD POS Ready 2GB	\$2,233.00	\$2,233.00	\$17,864.00	10.00%
		DXRE Supported				
4	P1760-0068-BAK	P1760 POS Terminal 2.0 GHz C, 2 GB Win 7 P1760 2 GB Mem, 2 GHz C, Windows 7	\$2,373.00	\$2,373.00	\$9,492.00	10.00%
3	P707F001	2x20 Display - P1560/1760/P1515 Pole Mount 2x20 Display - P1560/1760/P1515 Pole Mount (new color)	\$189.00	\$189.00	\$567.00	10.00%
12	P201F057	Radiant Thermal Receipt Printer, Parallel Parallel option	\$278.60	\$278.60	\$3,343.20	10.00%
3	CD10134	MS 18.8" 3 Media Slot Cash Drwr, POS Driven 12V, Black	\$203.00	\$203.00	\$609.00	10.00%
12	SN10063	Symbol LS2208 USB Scanner (with stand)	\$210.00	\$210.00	\$2,520.00	10.00%
3	PA10012	Integration tray f/ P15xx Holds MS Media, Receipt Printer and Keyboard	\$140.00	\$140.00	\$420.00	10.00%
12	KB10018	Keyboard with touch pad Includes numeric keypad	\$118.00	\$118.00	\$1,416.00	10.00%
Taxes and Shipping Costs: This quotation includes no taxes or shipping costs. All applicable taxes and shipping costs are borne by the customer.						

Subtotal:	\$36,231.20
Discount:	\$3,623.12
Discounted Subtotal:	\$32,608.08
Tax:	\$0.00
Shipping:	\$0.00
Total:	\$32,608.08

Grand Total

Currency:	USD	Subtotal:	\$36,231.20
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**Quote**

Quote Number:	1071
Date:	02/17/2012
Sales Person:	Bobby Gay
Valid Until:	04/30/2012

Discount: \$3,623.12

Discounted Subtotal: \$32,608.08

Tax Rate: 0.00%

Tax: \$0.00

Shipping Provider:

Shipping: \$0.00

Total: \$32,608.08

City of Wichita
City Council Meeting
March 27, 2012

TO: Mayor and City Council
SUBJECT: 2012 Cargill Care Grant - WATER Center (District III)
INITIATED BY: Department of Public Works & Utilities
AGENDA: Consent

Recommendation: Approve the grant application.

Background: The Wichita Area Treatment, Education and Remediation (WATER) Center's (101 East Pawnee) environmental education mission is to address water quality resources, emphasizing hydrological processes, groundwater remediation, impacts to public health and the environment, and the inter-relationship between groundwater and the Arkansas River.

On June 19, 2007, Environmental Health presented a conceptual exhibit plan prepared by Taylor Studios Inc. during a City Council workshop. The City Council recommended that Environmental Health seek outside grants and sponsors to fund additional exhibits.

The Cargill Cares council offers a grant which will provide partial funding for the next phase of exhibit installation for the WATER Center exhibit: "How Do You Use Water? / "Water, It's More Than You Drink."

Analysis: The Public Works Environmental Health division requests authorization to apply for the Cargill Cares Core Grant in the amount of \$48,000. The grant would fund a portion of the design, fabrication and installation of the exhibit titled "How Do You Use Water? / Water: It's More Than You Drink."

Environmental Health is seeking four funding sources for the \$75,000 museum exhibit.

- Kansas Health Foundation: \$25,000 approved on the August 24, 2010 Consent Agenda and awarded December 2010.
- General donations to the WATER Center: \$2,000.

If the Cargill Cares grant is not funded or is partially funded, additional funding sources will be identified before project efforts commence.

Financial Considerations: The Environmental Health division is requesting Cargill Cares funding of \$48,000 to complete the \$75,000 exhibit installation. The grant does not require a match.

Goal Impact: This grant application addresses the Quality of Life goal by educating citizens on water pollution and conservation concepts to protect the City of Wichita's natural resources.

Legal Considerations: The Law Department has approved the grant application as to form.

Recommendation/Action: It is recommended the City Council approve the grant application.

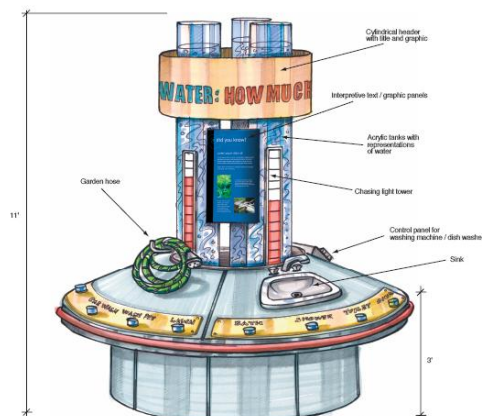
Attachment: Exhibit Proposal and grant application.

Cargill Cares Proposal - 2012

Exhibit: **Water: It's More Than You Drink**
 Sponsors: Kansas Health Foundation (\$25,000)
 Donations (\$2,000)
 Total Cost: \$75,000
 Remaining Need: \$48,000

Cost Description

Final Design	\$12,000
Fabrication	\$50,000
Installation	\$13,000



Original exhibit concept will be enhanced with historic household items.

Objective: to creatively teach visitors about their water habits, how those habits have changed in recent decades, and how to conserve this vital clean water supply for future generations.

Deliverable: hands-on, interactive water-education exhibit that incorporates historic household equipment with modern water-footprint calculators.

The WATER Center's education exhibit, *Water: It's More Than You Drink* (hereafter referred to as the "Project"), will communicate the true amount of clean water it takes to maintain a healthy lifestyle in a first-world country. Although Project visitors may only drink a few glasses of water each day, indirectly they consume thousands of gallons with activities such as food preparation, bathing, laundry, and waste disposal.

The Project will incorporate historic water implements with modern water-footprint calculators to convey how visitors' human water use habits have changed over time and with industrialization. Larger water treatment facilities, widespread infrastructure, and reliable water sources have made safe water easily available and allowed for the creation of numerous household conveniences and luxuries possible - water waste is subconscious, habitual and built-in. Eighty years ago laundry water would have been used first on delicates, then reused on whites, followed by colored clothing, and finally reused again on heavily soiled work-wear. A modern washing machine may use up to fifty-five gallons of water in just one cycle. Although many of today's conveniences require substantially larger amounts of water, responsible behaviors can lessen the water impact.

The exhibit Project is part of a larger vision for water education in Kansas. The WATER Center has developed conceptual designs for Captive Flow: The Endless Journey of Water--a self-guided, permanent exhibition designed to engage the public and broaden their understanding of water. When this fact-based exhibition is complete, visitors will embark on a journey of discovery through the anatomy of a water molecule, an alluvial aquifer, soil formation, water conservation practices, pollution pathways, and more. Eight of the fifteen interactive displays have been installed.

The Project will expand the WATER Center's efficacy by presenting personally-relevant water information using visual, tactile, and auditory methods. Visitors will be exposed to and confronted with their direct and indirect water consumption habits and how those habits have changed over time. Visitors will be given tools with which to make future decisions about their personal water use, such as:

- Learning the amount of water a task should consume without losing any efficiency or giving up safety (what is normal water use)
- Whether water is really needed for the task (for example, sweeping a driveway with a broom rather than washing down with a hose)
- What to look for when purchasing water using devices so as to get a device that uses less than the conventional standard
- What items people use that require a great deal of water during its manufacture and should therefore itself be carefully used
- When should safe, potable water be used as opposed to a less highly treated water
- How their lifestyle decisions effect water supply and water safety over time

WATER Center | 101 E. Pawnee | Wichita, KS | 67211 | 316-337-9262 | www.wichita.gov

The City of Wichita's WATER Center is an environmental remediation and education project for the Gilbert-Mosley groundwater site. Charitable contributions to governmental units are tax-deductible under section 170(c)(1) of the Internal Revenue Code if made for a public purpose.

**CARGILL CARES
2012 CORE GRANT REQUEST**

1. **Organization Name** WATER Center
Address 101 E. Pawnee
City, State, Zip Wichita, KS 67211
Phone # 316-350-3386 **Fax #** 316-350-3390
E-mail lalbers@wichita.gov
Web Site: www.wichita.gov/cityoffices/environmental/watercenter/

2. **Project Manager** Libby Albers, Environmental Specialist, WATER Center
Signature Authority Robert Layton, Manager, City of Wichita

3. **Material submitted via on-line application**

Cargill Contact: Matt Gardner (Cargill)

Date of Request: 02/15/2012

Are you a 501 (c) (3) corporation?: no - 170(c)1 as a part of the City of Wichita

Enter your Federal Tax ID number: 48-6000653

Do you receive United Way funds?: The WATER Center does not receive any United Way funds.

When is the event or when do you need the funds/products?: 2012-2013

Number of years in operation: 9 years

Number of people served annually: 10,000

Is this an Awareness Week or Jeans Week request? no

Name of Request: (Project) **Water: It's More Than You Drink**

Description of Event (Project):

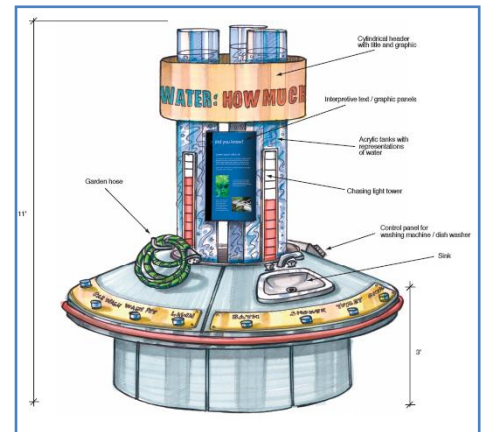
Objective: to creatively teach visitors about their water habits, how those habits have changed in recent decades, and how to conserve this vital clean water supply for future generations.

Deliverable: hands-on, interactive water-education exhibit that incorporates historic household equipment with modern water-footprint calculators.

The WATER Center education exhibit, Water: It's More Than You Drink (hereafter referred to as the Project), will communicate the true amount of clean water it takes to maintain a healthy lifestyle in a first-world country. Although Project visitors may only drink a few glasses of water each day, indirectly they consume thousands of gallons with activities such as food preparation, bathing, laundry, and waste disposal.

The Project will incorporate historic water implements with modern water-footprint calculators to convey how visitors' water use habits have changed over time and with industrialization. Larger water treatment facilities, widespread infrastructure, and reliable water sources have made safe water easily available and allowed for the creation of numerous household conveniences and luxuries possible water waste is subconscious, habitual and built-in. Eighty years ago laundry water would have been used first on delicates, then reused on whites, followed by colored clothing, and finally reused again on heavily soiled work-wear. A modern washing machine may use up to fifty-five gallons of water in just one cycle. Although many of today conveniences require substantially larger amounts of water, responsible behaviors can lessen the water impact.

The exhibit Project is part of a larger vision for water education in Kansas. The WATER Center has developed conceptual designs for Captive Flow: The Endless Journey of Water--a self-guided,



Original exhibit concept will be enhanced with historic household items.

CARGILL CARES 2012 CORE GRANT REQUEST

permanent exhibition designed to engage the public and broaden their understanding of water. When this fact-based exhibition is complete, visitors will embark on a journey of discovery through the anatomy of a water molecule, an alluvial aquifer, soil formation, water conservation practices, pollution pathways, and more. Eight of the fifteen interactive displays have been installed.

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- Learning the amount of water a task should consume without losing any efficiency or giving up safety (what is normal water use)
- Whether water is really needed for the task (for example, sweeping a driveway with a broom rather than washing down with a hose)
- What to look for when purchasing water using devices so as to get a device that uses less than the conventional standard
- What items people use that require a great deal of water during its manufacture and should therefore itself be carefully used
- When should safe, potable water be used as opposed to a less highly treated water
- How their lifestyle decisions effect water supply and water safety over time

What are you requesting, monies or meat products?: Money
Amount you are requesting?: \$48,000

If the donation is going to be used for a fundraiser what is the estimated amount of money to be raised?: no

Do you need volunteers for this event?: no

How Many?: 0-3

When?: during delivery of exhibit and installation

How many people will be served by or profit from this request?: 10,000/year

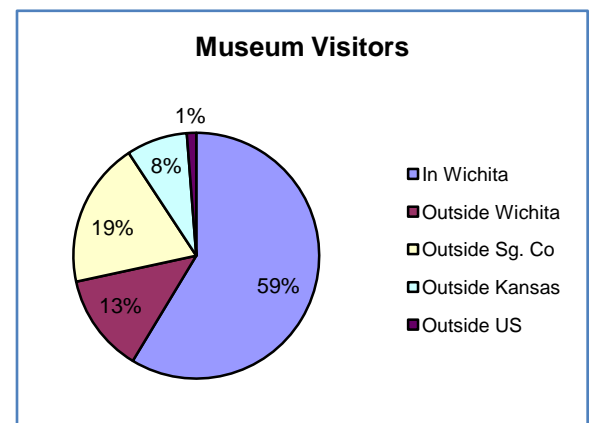
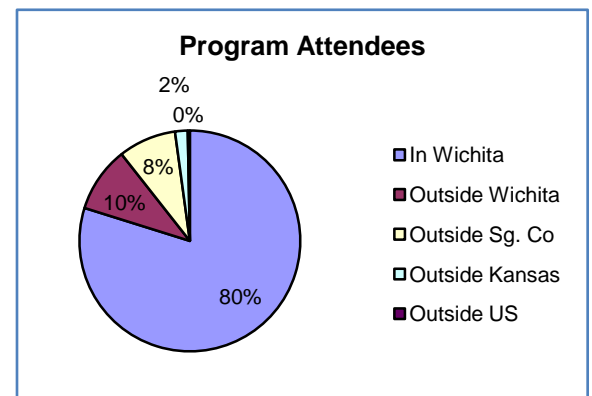
Who are they?: The WATER Center caters to both organized groups, like schools, as well as informal visitors such as families. In an effort to reach both audience types, the exhibition interpretive material will be written at a middle-school level a level engaging for adults and simple for adults to interpret to younger children.

Visitor statistics:

- 80% of program attendees are Wichita residents
- 59% of museum visitors are Wichita residents
- 40% of environmental education programs are provided to school-aged children

How will the funds be used?: for final design, fabrication, and installation of the "Water: It's More Than You Drink" exhibit.

Is there an opportunity for publicity for Cargill Cares through this event?: yes! Cargill Cares will also be permanently recognized in the Sponsors' Window.



**CARGILL CARES
2012 CORE GRANT REQUEST**

4. IRS Tax-Exempt Letter

**Kansas Department of Revenue
Sales and Use Tax Entity Exemption Certificate**

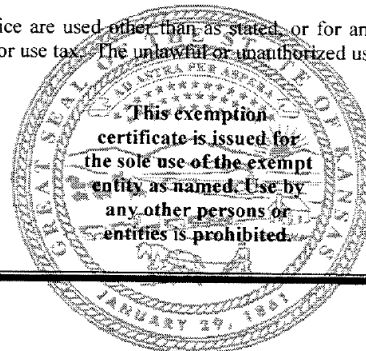
The Kansas Department of Revenue certifies this entity is exempt from paying Kansas sales and/or compensating use tax as stated below.

Kansas Exemption Number: KS6661U1HW

Expiration Date: 11/01/2014

The tax-exempt entity understands and agrees that if the tangible personal property and/or service are used other than as stated, or for any purpose that is not exempt from the tax, the tax exempt entity is liable for the state and local sales or use tax. The unlawful or unauthorized use of this certificate is expressly prohibited, punishable by fine and/or imprisonment.

City of Wichita
455 North Main
12th Floor
Wichita, KS 67202



EXEMPT ENTITY INFORMATION:

Authorization and scope:

- K.S.A 79-3606(b) & (d) - State of Kansas, political subdivisions of the state of Kansas (Kansas cities, counties, townships, special districts), nonprofit hospitals, and blood, tissue, or organ banks.
- Exemption applies to all direct purchase, rental or lease of tangible personal property and services, except purchases of goods for human habitation or purchases made for any business activity specifically taxable, and indirect purchases by a contractor for a real property project except as noted below.

Limitations:

- Only direct purchases are exempt through the use of this certificate.
- Except for state government, this entity qualifies for exemption on indirect purchases by a contractor through the issuance of a Project Exemption Certificate (PEC). Apply on-line at KDOR's web site: www.ksrevenue.org. The only State of Kansas agency allowed a PEC is a Kansas correctional institution. Indirect purchases by all other state agencies are subject to sales tax.
- This exemption does not apply to the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the exempt entity.
- Subject to sales tax are purchases of capital goods used for human habitation (i.e. residential housing and dormitories) to include materials for construction, remodeling or repair and furnishings such as beds, curtains, desks and furniture. Labor services on residential housing and dormitories are exempt as residential construction.
- All purchases of goods and services used in a business that is specifically taxable by the Sales Tax Act are subject to tax. This includes operation of a utility, restaurant, and selling of goods or services at retail.

Carol F. McMillan, Controller

Exempt Entity Authorized Signature (Officer, Office Manager or Administrator)

Carol F. McMillan, Controller

Printed Name

48-6000653

Federal ID Number

8-26-2009

Date

RETAILER INFORMATION:

- To qualify for exemption, the certificate must have an expiration date in the future and be signed by an authorized individual.
- Payment must be made by the entity on their checking account or on a credit/debit card issued to the entity. Acceptance of cash, personal checks, or personal credit/debit cards is not allowed for a tax exempt purchase.
- The entity must have a Kansas exemption certificate. Exemption certificates issued by other states are not valid in Kansas.
- Retailers are required to maintain a copy of the purchaser's certificate in their records for at least 3 years from the date of purchase. Retailers must maintain a current certificate on file.
- Selling tax exempt goods or services that are not exempt by statute may result in the assessment of tax.
- A completed certificate may be used as a blanket exemption for future purchases when of the same type and for the same exempt purpose.

Seller's name and address

Description of goods and/or services purchased

For additional information on Kansas sales and use taxes see Publication KS-1510, *Kansas Sales Tax and Compensating Use Tax* and Publication KS-1520, *Kansas Exemption Certificates*, located at: www.ksrevenue.org Questions would be directed to Taxpayer Assistance at 785-368-8222.

PR-78KS
(07/09)

**CARGILL CARES
2012 CORE GRANT REQUEST**

5. Itemized Budget - WATER Center Program

The WATER Center's budget is part of the larger Gilbert-Mosley Groundwater Remediation Project. The itemized budget below reflects the portion of the Gilbert-Mosley Project that is allocated to the WATER Center's educational mission, facility operations, and personnel.

2011 - ITEM	TOTAL	OUTSIDE FUNDING	CITY FUNDING	SOURCE
INCOME				
Gilbert-Mosley TIF : Used for operation and maintenance of the building	\$ 62,773	0	\$ 62,773	Gilbert-Mosley TIF
City’s General Fund : Used for (1) Personnel	\$80,000	0	\$80,000	City’s General Fund: Environmental Assessment & Remediation
Visitor donations	\$230	\$230	0	Donations in 2011
Savings of Donations slated for Exhibit Construction	\$2,997	\$2,997	0	Donations - Accrued
Senior Wednesday Grant	\$1,481	\$1,481	0	Kansas Health Foundation Grant for Programs
Kansas Health Foundation	\$ 25,000	\$ 25,000	0	Grant for Exhibits
Total Income: WATER Center Education Facility	\$172,481	\$29,708	\$142,773	
MANAGEMENT AND GENERAL EXPENSES				
Janitorial for Education Facility	\$ 3,813	0	\$ 3,813	Gilbert-Mosley TIF
Utilities	\$ 12,072	0	\$ 12,072	Gilbert-Mosley TIF
Grounds Maintenance	\$ 1,900	0	\$ 1,900	Gilbert-Mosley TIF
Printing, Copying, Postage	\$ 726	0	\$ 726	Gilbert-Mosley TIF
Contracted Repairs/Maintenance	\$ 33,601	0	\$ 33,601	Gilbert-Mosley TIF
Computer/IT	\$ 5,438	0	\$ 5,438	Gilbert-Mosley TIF
Cable	\$ 719	0	\$ 719	Gilbert-Mosley TIF
Office Supplies	\$ 2,304	0	\$ 2,304	Gilbert-Mosley TIF
Education Expenses				
Aquariums	\$ 1,137	0	\$ 1,137	Gilbert-Mosley TIF
Education Program Supplies	\$ 738	0	\$ 738	Gilbert-Mosley TIF
Senior Wednesday Program	\$1,481	\$1,481	0	Senior Wednesday Grant – Kansas Health Foundation
Exhibit Installation				
“Water: It’s More Than You Drink”	\$75,000	\$75,000	0	Grants and donations
Personnel				
Salary: Environmental Specialist, WATER Center Coordinator	\$60,000	0	\$60,000	City’s General Fund: Environmental Assessment & Remediation
Benefits	\$ 20,000	0	\$ 20,000	City’s General Fund: Environmental Assessment & Remediation
Total Expenses: WATER Center Education Facility	\$218,929	\$1,481	\$142,448	
(income minus expenses)	-46,448	Reflects the approximate deficit needed to complete the “Water It’s More Than You Drink” exhibit		
Total Grant Request: \$ 48,000				

6. List of Board of Directors, Management & Staff

a. Board of Directors

Currently, a Board of Directors does not dictate the direction of the WATER Center, rather it is directed by the Department of Public Works & Utilities and by the City Council.

The City of Wichita is a unit of local government, designated as a city of the first class (having a population greater than 150,000) by Kansas's statutes. Wichita is located in Sedgwick County, Kansas, and is the largest city in the State of Kansas with a population of 382,368 and a metropolitan area with a population of 623,061.

The City governance is a Council-manager form of government with six Council Districts and a Mayor at large. The Mayor and a six-member Council serve as the policy making body for the City and appoints the City Manager who serves as the chief executive.

All can be reached at:

*City Hall, 1st Floor
City Council, MS 1-135
455 N. Main
Wichita, KS 67202*

Carl Brewer
City Mayor

Lavonta Williams
City Council District 1

Pete Meitzner
City Council District 2

James Clendenin
City Council District 3

Michael O'Donnell II
City Council District 4

Jeff Longwell
City Council District 5

Janet Miller
City Council District 6

b. Management

Robert Layton
Manager
City of Wichita

Alan King
Director
Public Works & Utilities

Don Henry
Interim Assistant Director
Public Works & Utilities

Shawn Maloney
Interim Manager
Environmental Health Division

c. Staff - WATER Center








Libby Albers
Environmental Specialist
WATER Center

Kay Drennen (funded via the Water Utility)
Water Resources Analyst
WATER Center

CARGILL CARES 2012 CORE GRANT REQUEST

5. Audited Financial Statement

The WATER Center does not receive a “statement” from a bank due to its government affiliation. Financial support is a portion of the City-approved budget for the Department of Public Works & Utilities, Division of Environmental Health, Environmental Assessment and Remediation Section. The following excerpt summarizes the City’s proposed and approved budgets for 2009-2012.

	<div> <div>ENVIRONMENTAL ASSESSMENT AND REMEDIATION TAX INCREMENT FINANCING</div> <div>PUBLIC WORKS DEPARTMENT</div> </div>																																																																			
<div>Mission Statement</div> <div>To protect people and preserve the environment by assessing and remediating environmental contamination.</div>																																																																				
<div>SERVICE DESCRIPTION</div> <p>State statute (K.S.A. 12-1771a) allows the City to fund the cleanup of an environmentally contaminated area using a special type of Tax Increment Financing (TIF). Environmental tax increment (decrement) financing involves the restoration of property values for properties in a contaminated area to their pre-contamination tax levels. Then a 20% increment of property tax produced by the "re-established" valuation is used to pay cleanup costs. The 20% level is linked to the tax values that were present at the time of inception of the TIF and does not increase as market property values escalate.</p> <p>TIF District 1 was established in 1991 to fund the clean up of groundwater contamination in the Gilbert & Mosley Site; Gilbert & Mosley is located through the central corridor of Wichita and extends south to the Big Arkansas River; it encompasses most of the downtown core area and all of the Old Town Redevelopment District. TIF District 1 will remain active until 2021.</p> <p>TIF District 2 was established in January 1996 to fund the clean up of groundwater contamination in the North Industrial Corridor (NIC); NIC is located directly north of the Gilbert & Mosley Site and encompasses the northern industrial area of Wichita and the rail corridor; it extends from 2nd Street north to 45th Street.</p> <p>In both TIF Districts the City of Wichita and the Kansas Department of Health and Environment (KDHE) signed settlement agreements to allow the City of Wichita to manage of the investigation and clean-up of these large groundwater contamination sites. These actions allowed the City to avoid the stigma and economic stagnation if EPA Superfund action had been enacted.</p>																																																																				
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CARGILL CARES
2012 CORE GRANT REQUEST

6. Letter of Request

Grant Request: **Water: It's More Than You Drink Exhibit Sponsorship**
Funding Request: **\$48,000**

Cargill Cares Council -

Thank you for considering the WATER Center's request for core sponsorship. The WATER Center is requesting \$48,000 to complete the "Water: It's More Than You Drink" interactive exhibit conceptually designed by Taylor Studios, Inc. Although \$27,000 in sponsorship from general donations and the Kansas Health Foundation is already allocated, additional monies are required to complete the design, fabrication and installation of the \$75,000 project.

Since opening in 2003, the WATER Center has provided environmental education—specifically water conservation, aquatic biology, and pollution prevention—to over 70,000 visitors and students. The WATER Center's museum exhibition challenges visitors to connect, on both on an intellectual and emotional level, with water in an effort to improve public adoption of water conservation and pollution prevention methods. Specifically, visitors who experience the unique learning environment of the WATER Center should leave with the appreciation that water is a finite substance that is recycled through natural systems over time. Visitors and students should also understand pollution pathways and be able to employ effective pollution prevention and water conservation measures.

As part of their water education experience, visitors and students journey through the hands-on museum, interacting with dynamic water-themed exhibits. Of the fifteen exhibits planned for the WATER Center, nine have been installed. Pending exhibit installations cover topics such as personal water use, water in commerce and industry, how water moves through the environment, and water's unique ability to exist in three phases in nature.

The "Water: It's More Than You Drink" exhibit will communicate the true amount of clean water it takes to maintain a healthy lifestyle in a first-world country. Although visitors may only drink a few glasses of water each day, indirectly they consume thousands of gallons with activities such as food preparation, bathing, laundry, and waste disposal. The exhibit will incorporate historic water implements with modern water-footprint calculators to convey how visitors' water use habits have changed over time and with industrialization.

Quantitatively, the WATER Center measures the public's increased exposure to water information through attendance. Qualitatively, the long-term, intended impact for the education project is to break down misconceptions and increase pollution prevention and water conservation awareness. Based on an assessment by Falk and Dierking (1997), school aged children were able to remember events or details of school field trips well into adulthood. This memory was credited as "learning" from the field trip experience. Thus, the learning of environmental practices by students may be difficult to immediately assess, and results of the effort may take many years to manifest.

Thank you for considering collaborating with the WATER Center on this unique environmental education project.

Sincerely,



Libby Albers
Environmental Specialist
WATER Center Coordinator

Dierking, L. D., & Falk, J. H. (1997). School field trips: Assessing their long-term impact. *Curator*, 40(3), 211-218.

CARGILL CARES 2012 CORE GRANT REQUEST

7. Itemized Project Budget

Exhibit Co-Sponsors

Kansas Health Foundation	\$ 25,000
General Donations from Visitors	\$ 2,000
Amount Requested from Cargill Cares:	\$ 48,000
Total <i>Water: It's More Thank You Drink</i> Project Cost:	\$ 75,000

Cost Description - Exhibit Contractor, Taylor Studios, Inc.

Final Design	\$ 12,000
Fabrication of exhibit components	\$ 50,000
Installation	<u>\$ 13,000</u>
Total	\$ 75,000

Activity Timeline

If the grant is awarded, the anticipated timeline for *Water: It's More Thank You Drink* design, fabrication and installation will be as follows:

Date	Action	Management Team
June 2012	Notification of Award	Cargill Cares
	Presentation to City Council to accept the grant award and authorize contract with Taylor Studios, Inc.	WATER Center & Public Works & Utilities
	Taylor Studios, Inc. contacted to prepare draft contract	WATER Center
July 2012	Contract review and acceptance	Legal Department
August 2012	Schematic Design work	Taylor Studios Inc
	Design Development begins	Taylor Studios Inc & WATER Center
September 2012	Taylor Studios, Inc. submits Design Development Report	Taylor Studios Inc
	WATER Center approves Design Development	WATER Center
October 2012	Final Design	Taylor Studios Inc
November 2012	Begin Fabrication	Taylor Studios Inc
	Approval of photos for graphics	WATER Center
December 2012	Approval of final graphics	WATER Center
January 2013	50% Fabrication complete	Taylor Studios Inc
February 2013	90% Fabrication complete	Taylor Studios Inc
	Substantial completion	Taylor Studios Inc & WATER Center
March 2013	Installation	Taylor Studios Inc
April 2013	Exhibit complete and opens to the public	

8. Completed Audit Form

Not applicable. The WATER Center has not received funding from Cargill greater than \$10,000

**City of Wichita
City Council Meeting
March 27, 2012**

TO: Mayor and City Council

SUBJECT: Fleet & Facilities Division migration from DataStream to Lucity for asset management.

INITIATED BY: Public Works & Utilities and Information Technology (IT)

AGENDA: Consent

Recommendation: Approve the contract and funding.

Background: Since 2002, DataStream software has been in use for asset management in the Public Works Fleet & Facilities division. The software has provided good service and is highly utilized, particularly within Fleet. In 2003, Airport and Transit began to use this same software. All three departments split the cost of the implementation and maintenance based on a percentage of use with Fleet & Facilities paying 68% of the total cost. There were issues with system integration and functional use of the software within Airport and Transit.

George Butler and Associates (GBA) Master Series Water and Sewer asset management software was originally purchased by Water & Sewer Utilities and implemented by GBA in 1996. In 1999, Public Works purchased GBA Master Series for Pavement Management and Traffic and Storm Water Maintenance. The GBA asset management system has been in use for these purposes for over a decade.

In 2010-2011, Park & Recreation purchased and implemented GBA Master Series as an asset management tool for their use. In early 2011, GBA Master Series did a complete re-branding of its product and became Lucity. After gap analysis and system review, in early 2011, Transit and Airport decided to migrate from DataStream to Lucity for asset management. After review and comparison it was determined by each Department that Lucity provided a more functional and more cost effective platform in relation to its asset management needs. For Information Technology it provided consolidation onto one common software platform for asset management. The migration by Airport and Transit left Public Works as the only user of the DataStream system. An expense that was at 68% of total cost would now be 100% as the sole user, although maintenance support cost would decrease.

Analysis: Return on investment, product demonstrations and gap analysis of a migration to Lucity from DataStream were conducted by IT and Public Works staff. The determination was made to consolidate all asset management systems onto the Lucity platform. For DataStream to remain a viable system two items would need to be upgraded and implemented, the cost of these would have been \$36,800 and \$42,400 respectively. Instead of expending \$79,200 to upgrade DataStream, it was determined the funds would be better utilized on the Lucity migration. The results of this consolidation include lowering costs for all departments using the system, an increase in usability and functionality and the ability for IT to assign two analysts to a common system to increase support and availability. The reduction in annual maintenance cost provides over \$40,000 in annual savings. After payback of the implementation, the expected return on investment for this project is 3.5 years. After 3.5 years, reduced maintenance fees will return on-going annual savings. The ability for Information Technology to provide more effective support will begin once implementation is complete.

Financial Considerations: The migration from DataStream to Lucy will cost \$324,883. This cost includes the first year of maintenance for the system, purchase of 7 handheld devices for mobile inventory, implementation and training and all software modules necessary to replace the functionality of DataStream. The funding for implementation will come from three sources: 1) \$107,944 in existing funds from the software replacement fund (SRF); 2) \$75,262 reallocation of the 2012 maintenance fees for DataStream to the implementation; and 3) \$141,677 loan from Equipment Replacement Fund (ERF) to be paid back over 3.5 years from savings in maintenance fees from the migration.

System Cost:

• Software:	\$176,500	one-time cost
• Maintenance	\$ 35,900	annual cost
• Implementation / training	\$ 86,480	on-time cost
• 7 handheld devices	\$ 10,528	one-time cost
• 5% contingency	\$ 15,475	one-time cost
• Total Project cost	\$324,883	

Goal Impact: This project will protect public infrastructure, create more effective and efficient use of staff resources.

Legal Considerations: The statement of work has been reviewed and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council approve the contract and funding for Public Works migration from DataStream to Lucy for asset management.

Attachments: Lucy Software, Services and Maintenance Quote



Lucity, Inc.
10561 Barkley Street, Suite 500
Overland Park, KS 66212
Phone # 913-341-3105

Quotation

Prepared For
City of Wichita 455 N. Main, Ste 802 Wichita, KS 67202 KCoons@wichita.gov

Date	2/10/2012
Quote #	84646R

Project			
Description	Qty	Rate	Total
Work Administrator	3	3,000.00	9,000.00
Work Orders - Site license	1	50,000.00	50,000.00
Requests	5	500.00	2,500.00
Fleet - Site license	1	25,000.00	25,000.00
Facility/Equipment - Site license	1	25,000.00	25,000.00
Fleet Fueling	1	1,500.00	1,500.00
Inventory Control	10	2,000.00	20,000.00
Bar Coding PDA	7	500.00	3,500.00
Work Order for Android Phone - 5 pack	1	3,000.00	3,000.00
Work Order Interface	7	5,000.00	35,000.00
Fueling Interface	1	5,000.00	5,000.00
Annual Support and Maintenance	1	35,900.00	35,900.00
Configuration, SOPs, Reporting (\$14,375 Labor + \$1,200 Direct Expenses)	1	15,575.00	15,575.00
Data Migration (\$15,000 Labor)	1	15,000.00	15,000.00
Training (Train the end user) (\$39,330 Labor + \$7,200 Direct Expenses)	1	46,530.00	46,530.00
Go-Live (\$5,175 Labor + \$1,200 Direct Expenses)	1	6,375.00	6,375.00
Standard labor rates are \$1,500 per on-site day and \$100.00 per remote hours, plus an additional fifteen percent (15%) project management fee.			
Direct expense estimates are \$450.00 per on-site trip and \$250.00 per on-site day.			
NOTES:			
- Directs are estimated costs only and will be billed at actual cost			
- 5 people maximum limit to be trained at one time (add'l fees added for add'l persons trained)			
- Work Management training requires additional days if training multiple departments			
- Work management training requires at least 2 separate trips			
- Project Management is a percentage of training and services costs to cover administration fees associated with project management and will fluctuate with changes in the services contracted for			
- The data conversion on this quotation is an estimate only at this time. For a firm quote, forward sample data to Lucity, Inc.			
- Recommended training time is an estimate only. Lucity will work with each client individually to determine the actual training time necessary for their specific needs			

Total



Lucity, Inc.
10561 Barkley Street, Suite 500
Overland Park, KS 66212
Phone # 913-341-3105

Quotation

Prepared For
City of Wichita 455 N. Main, Ste 802 Wichita, KS 67202 KCoons@wichita.gov

Date	2/10/2012
Quote #	84646R

Project			
Description	Qty	Rate	Total
<p>PURCHASE TERMS:</p> <ol style="list-style-type: none">1. Above quoted prices are good for sixty (60) days from date of quote.2. Above prices are in U.S. dollars. Sales tax is an estimate only at this time.3. License fees for any Lucity GIS solutions do not include ESRI software.4. Invoice terms are net due upon receipt. Finance charges at the maximum allowable rate will be incurred 30 days from invoice date.5. Shipping and handling is included.6. Solutions that are priced "per device" do not include the cost of the device or any further software that may be required to run the Lucity program.			
Total sales tax calculated by AvaTax		0.00	0.00
Total			\$298,880.00

Second Reading Ordinances for March 27, 2012 (first read on March 20, 2012)

A. Year-end Salary and Classification Ordinances.

ORDINANCE NO. 49-246

An ordinance establishing position classifications for non-exempt employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges repealing Ordinance No. 48-994.

ORDINANCE NO. 49-247

An ordinance providing for a uniform schedule of standard pay ranges for non-exempt employees of the City of Wichita, repealing Ordinance No. 49-167.

B. Amidon Street Improvement, between 21st Street North and 29th Street North. (District VI)

ORDINANCE NO. 49-245

An ordinance amending Ordinance No. 48-810 of the City of Wichita, Kansas declaring Amidon, between 21st street and 29th street (472-84914) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

C. Acquisition by Eminent Domain of Tracts Required for the Wichita-Valley Center Flood Control Levee Certification and Rehabilitation Project. (County)

ORDINANCE NO. 49-248

An ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the Wichita-Valley Center Flood Control Levee certification and rehabilitation project in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

D. Acquisition by Eminent Domain of Tracts required for the Central: 119th to 135th Street road Improvement Project. (District V)

ORDINANCE NO. 49-249

An ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction of improvements to central avenue from 119th street west to 135th street west in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the district court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

E. Abatement of Dangerous & Unsafe Structures (Districts I, III, IV and VI)

ORDINANCE NO. 49-250

An ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (Building Condemnation-Demolition) under the provision of Sections 18.16.010 to 18.16.090 of the code of the City of Wichita, Kansas.

ORDINANCE NO. 49-251

An ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (Building Emergency Board-Up) under the provision of Sections 18.16.010 to 18.16.090 of the code of the City of Wichita, Kansas.

F. Acquisition by Eminent domain of Tracts required for the Improvement of the bridge on Broadway near 34th street South. (District III)

ORDINANCE NO. 49-252

An ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction of the improvements to the bridge on Broadway near 34th street south in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

- G. **ZON2012-00002 – City zone change from SF-5 Single-family Residential (“SF-5”) to TF-3 Two-family Residential (“TF-3”) for an existing duplex; generally located south of East Navajo Lane and west of Rutan Street, 3301 East Navajo Lane. (District III)**

ORDINANCE NO. 49-253

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended.